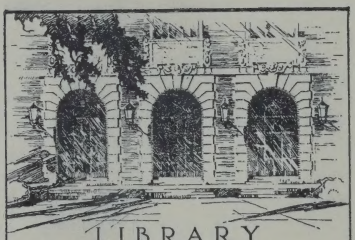

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

COMMONWEALTH OF KENTUCKY

Regular Session 1934

VOL. III

Held in the State Capitol, in the Capital City of Kentucky,
at Frankfort, in the year of Our Lord 1934 and in
the One Hundred and Forty-first year
of the Commonwealth

Begun on the second day of January and adjourned
sine die on the fifteenth day of March

IRVINE SANDERS, *Chief Clerk*
E. M. FORD, *Assistant Clerk*
JANE ADAMS WADDLE, *Stenographer*

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OF THE

COMMONWEALTH OF KENTUCKY

TUESDAY, FEBRUARY 27, 1934.

(Continued from Volume II.)

69. *Game and Fish Commission*

MEANS OF FINANCING

Game and Fish Fund:		
Cash Balance as of June 30, 1932	$49,019.58	
Receipts of the Year	109,053.91	$158,073.49
Debt Floated:		
Accounts Payable as of June 30, 1933		4,322.23
TOTAL		$162,395.72

APPLICATION OF FUNDS

Expenditures:		
Ordinary Recurring Expenses:		
Administration:		
Office Salaries	$12,544.64	
Traveling Expenses	11,729.80	
Office Supplies	1,615.61	
Stationery and Printing	2,578.40	
Postage, Freight and Express	1,079.89	
Telephone and Telegraph	750.10	
Insurance—Fidelity	70.00	
County Clerks Expense	268.70	$30,637.14

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Protection:		
Wardens' Salaries	$24,867.90	
Rewards	459.45	
Fish License Inspector	1,028.05	26,355.40
Conservation and Development:		
General Repairs and Supplies	$203.21	
Insurance—Casualty	411.22	
Publicity	4,283.83	
Legal Expense	518.50	
Boat Expenses	947.03	
Fish Car Expense	469.93	
State Fair Exhibit	555.95	
Game Refuges	10,164.89	
Jones—Keeney Refuge	2,103.96	
Rescue Work	7,356.88	
Game Farm	14,381.51	
Mussels	1,650.75	
Hatcheries:		
Frankfort	1,463.25	
Glasgow	3,600.43	
Gatliff State	2,920.16	
Glen Springs	2,248.49	
Saratoga Springs	456.47	53,736.46
Total Ordinary Recurring Expenses		$110,729.00
Capital Outlay:		
Excavating and Concreting Ponds—Gatliff State Hatchery	$4,368.13	
New Boat "Virginia the Fourth"	1,000.00	
Rowboat	25.00	
Metal Signs	385.00	
Pumping Outfit	100.83	
Electric Range	90.00	
Coal Heater	23.40	$5,992.36
Total Expenditures		$116,721.36
Debt Retired:		
Accounts Payable as of June 30, 1932		2,030.67
Cash Balance as of End of Year		43,643.69
TOTAL		$162,395.72

Comments:

Means of Financing: The Acts of the General Assembly of 1932 provide: "All the fees and collections of all kinds

and character now collected by law, or that may hereafter be imposed by law, for the benefit of said department'' are set aside and appropriated for the benefit of the Game and Fish Commission for the fiscal year ended June 30, 1933, ''to be expended by it for the purposes now allowed by law, provided, however, that not to exceed $50,000 may be used for office expense and salaries including the salaries of wardens and traveling expenses.'' A similar provision is made for the fiscal year ending June 30, 1934.

Such blanket appropriations do not represent good budget practice. Specific estimates of the anticipated receipts should be included in the estimated resources available for appropriation, and the appropriations should be made on the basis of specific estimates of expenditure needs, based on definite work programs, and classified by character and object of expense.

Application of Funds: The expenditure records are not well kept. The book used is unwieldy. There are erasures on almost every page. The monthly totals are entered in pencil only, in many cases. No totals are carried forward from month to month. Many vouchers are missing. Invoices are filed alphabetically, those for several years in jackets together. None bear any reference to the dates paid or their places of entry in the disbursement ledger. Many of the invoices do not bear any dates whatever. This condition makes it very difficult, if not impossible, to find out what bills were paid or unpaid as of any given date.

Long distance telephone calls amounted to $490.62, of which $88.05 was for one month. It was apparently the practice of the former secretary to use the telephone to save the trouble of correspondence. No reimbursements were found to have been made during the year for any personal calls that may have been included in the monthly bills. The bills were not examined by anyone in the office to determine whether all

the calls billed for were official and properly chargeable to the department.

Fifty dollars was paid as premium on the official bond of the former secretary who was discharged after the end of the year. Refund of some $25 as the unearned portion of this premium, had not been applied for.

There is no record to show that lists of disbursements are referred to the Fish and Game Commission and approved for payment. The commission meets once a month.

Several pages of the commission's minutes show evidence of substitution of new pages for the original records.

Minutes of some of the meetings are not signed by either the secretary or any commissioner, some are signed by the commissioners but not by the secretary. Some give the month and day but do not show the year.

Four of the five commissioners, including the chairman who receives a regular salary, were allowed $100 apiece for surveying proposed fish-rearing ponds.

Payments apparently duplicated were found as follows:

Order	Item	Date of Invoice	Date of Payment	Amount
Sutcliffe Co. 288C....	4–28C Kapo Cushions	4/15/33	April '33	$4.44
Sutcliffe Co. 288C....	4–28C Kapo Cushions	4/15/33	April '33	4.44
The Old Plaining Mill Co.	7 pcs. 2x12x16 Pine 3 pcs. 2x10x16 Pine	8/18/32	Sept. '32	7.85
The Old Plaining Mill Co.	7 pcs. 2x12x16 Pine 3 pcs. 2x10x16 Pine	8/18/32	Sept. '32	7.85
Allen's Garage, Rising Sun, Ind...	20 Gals. Ethyl Gas @ .17, $3.40..... 30 Gals. Regular Gas @ .15, $4.50.....	5/11/33	June '33	7.90
Allen's Garage, Rising Sun, Ind...	20 Gals. Ethyl Gas @ .17, $3.40..... 30 Gals. Regular Gas @ .15, $4.50.....	5/11/33	June '33	7.90

70. *Kentucky Progress Commission*

MEANS OF FINANCING

General Fund Appropriation:		
For Ordinary Recurring Expenses	$10,000.00	
Balance of Previous Year's Appropriation Carried Forward	8,700.00	
Receipts of Kentucky Progress Commission	3,799.50	
	$22,499.50	
Balance Kentucky Progress Association as of Beginning of Year (Overdraft)	(1.69)	
	$22,497.81	
Less Balance Lapsed as of End of Year	.20	$22,497.61
Debt Floated:		
Accounts Payable as of June 30, 1933		232.92
		$22,730.53

APPLICATION OF FUNDS

Expenditures:		
Ordinary Recurring Expenses:		
Salaries and Wages	$1,676.50	
Newspaper and Periodical Subscriptions	5.00	
Advertising	2,014.48	
Telephone, Telegraph, and Messenger Service	140.59	
Postage, Freight, Cartage, and Express	1,259.41	
Progress Magazine	7,649.00	
Photography	152.85	
State Fair Exhibit	133.39	
Office Supplies	.31	
Stationery, Printing, and Binding	5,995.94	
Miscellaneous Expenses	10.21	$19,037.68
Fixed Charges:		
Interest on Borrowed Funds		269.19
Total Expenditures		$19,306.87
Debt Retired:		
Accounts Payable as of June 30, 1932:		
Kentucky Progress Association	$1,710.00	
Kentucky Progress Commission	1,713.47	3,423.47
Balance Kentucky Progress Association as of End of Year		.19
TOTAL		$22,730.53

Comments:

This commission consists of twelve members appointed by the governor who also is ex officio a member and chairman.

The law establishing the commission also provided for a Kentucky Progress Association, to be organized by the commission, with voluntary membership and annual dues, the proceeds of which are to be used by the commission for paying its expenses. It is provided that all the expenses of the commission, except for publicity shall be paid from such funds, and the state appropriation shall be used only for publicity to promote the development of the state, and advertise its advantages.

The commission is authorized to spend the proceeds of such annual dues, but the amounts appropriated can be spent only through the state treasurer.

$25,000 was appropriated for the year 1932-1933, which was reduced by the governor in his veto message to $10,000.

The only function of the Association seems to be the payment of dues by its members. The dues when paid in, seem to become contributions paid to a state agency for state purposes and thus to become public expendable funds of the state. No justification for exception from the general provisions for handling state funds through the treasury and their expenditure under appropriations is seen. The allocation of the proceeds of annual dues to paying the expenses of the commission can be given effect, it would seem, only as a continuing appropriation of such funds. As all blanket and continuing appropriations were repealed by Chapter 25 of the Acts of 1932, the expenditures from these funds during the year under review would seem to be left without authority of law.

$269.19 was spent for interest on borrowed money. There is nothing in the law to authorize the commission to borrow.

Of the $8,700 item carried forward to the new year, some $7,000 was so made available on the specious pretext that the whole sum was obligated by contract. But the expenditure of at least $7,000 of the whole amount was made in 1932-1933 for

expenses of that year and properly chargeable only to the appropriation of that year. To that extent the appropriation of the previous year, in fact, lapsed, and the expenditures in 1932-1933 exceeded the appropriation and were thus without authority of law.

71. *Kentucky Crippled Children's Commission*

MEANS OF FINANCING

General Fund Appropriation	$110,000.00	
Less Discount on State Warrants Sold	7,084.84	$102,915.16
Donations		9,135.00
Debt Floated:		
Accounts Payable as of June 30, 1933		810.69
TOTAL		$112,860.85

APPLICATION OF FUNDS

Expenditures:		
Ordinary Recurring Expenses:		
Administration:		
Salaries and Wages	$6,928.80	
Auditing Fees	45.74	
Postage, Freight, Cartage, and Express	326.89	
Telephone, Telegraph, and Messenger Service	462.02	
Renewals and Repairs	17.95	
Traveling Expenses	543.50	
Stationery, Printing, and Binding	101.95	
General Supplies	131.78	
Insurance	138.94	
Bank Tax	1.58	$8,699.15
Medical and Hospital Services for Crippled Children:		
Medical Service for Clincis	$850.00	
Hospital Services	71,197.62	
Traveling Expenses	238.19	
Transportation of Children	222.30	
Medical, Surgical, and Orthopedic Supplies	11,647.19	84,155.30
Field Work:		
Salaries and Wages	$7,673.75	
Traveling Expense	3,065.96	10,739.71
Total Ordinary Recurring Expenses		$103,594.16

Capital Outlays:		
Office Equipment		333.75
Total Expenditures		$103,927.91
Debt Retired:		
Accounts Payable as of June 30, 1932	$7,687.78	
Audited and Approved Accounts for which Warrants were Issued in June, 1932. These warrants were paid when reimbursement was had for discount in 1932-1933	1,212.00	$8,899.78
Cash on Hand as of End of Year		33.16
TOTAL		$112,860.85

Comments:

Organization: The commission consists of seven members, appointed by the governor. It provides medical care and treatment of children committed to its care.

It is provided with a treasurer of its own, but all money and personal property received by gift, devise, bequest and conveyance is required to be deposited with the state treasurer in a separate fund for the use and benefit of the commission. Under the circumstances, no need for a separate treasurer for the commission is seen, and it is not in line with good financial practice for it to maintain a separate treasury.

Extent and Scope of Work: The staff is as follows:

Director
Secretary to director
Bookkeeper
Record clerk and city field worker
Field nurse (four)

The continued operation of this agency as a separate unit of the state government is undesirable. The relationship of its work to that of the board of health is rather close. A consolidation of the commission with the department of health is recommended.

$110,000 was appropriated for the purposes of the commission for the year 1932-1933.

There have been 3,811 individual children treated by the commission in the nine years of its operation at an average cash cost of slightly in excess of $250 each. Other donations of services have also been large. The seven orthopedic surgeons on the staff of the commission have made no charge for surgery, the railroads have transported children to and from hospitals on passes and local civic clubs and others, including taxicab companies, have furnished free local transportation for children. The total value of these donated services amounts to many thousands of dollars.

In addition to these direct donations the commission is granted low rates at hospitals. These rates are in all cases below the per patient costs of the hospitals, most of which receive funds from community chests or other public subscriptions. Colored children, other than those from Louisville, are hospitalized at the Red Cross hospital for colored which receives an annual state appropriation. No payments were made to this hospital by the commission prior to June, 1933, but since that time payments have been made to supplement the state appropriation.

Orthopedic Centers: The commission's work centers around the cities of Louisville, Lexington, and Ashland where orthopedic surgeons and hospitals are available. All surgery and hospital care are provided in these three cities. The location of these cities is far from ideal, but the lack of facilities in other parts of the state prevents a better distribution.

Clinics: In Louisville clinics for crippled children are held twice a week by the city hospital and are not directly under the supervision of the commission.

In Lexington and in Ashland weekly clinics are held by the commission. Quarterly clinics are conducted in the Covington-Newport area, and at Owensboro; semi-annual clinics are conducted at Hazard, Paducah, and Somerset. In some other localities clinics are held at irregular intervals.

The purpose of these clinics is twofold. They provide for the examination and diagnosis of new cases and for follow-up examinations of cases which have had surgical treatment.

Orthopedic surgeons who conduct the clinics are paid $100 a day for this work, but receive no compensation for their surgical work, which in the aggregate requires much more of their time.

Outside of the three medical centers twelve clinics were held in 1932-1933 in which 922 children were examined.

Field Activities: The commission employs four field nurses to seek out crippled children; to investigate the financial condition of families whose children need orthopedic surgery; and to follow-up surgical cases after they are released to see that proper care is being given, that braces are worn, and that children are returned to the surgeons for examination as required. A considerable amount of this work is also done by voluntary workers.

In the consideration of this work it should be noted that the cases handled by the commission frequently require attention for several years before the maximum correction can be obtained, and this sometimes involves several operations, the wearing of corrective braces with more or less frequent adjustment of these braces, and in some cases muscular or other treatment which, for practical reasons, must usually be given by inexperienced persons.

In order that the effects of expensive operations may not be lost through subsequent neglect it seems to be necessary to keep workers in the field to be constantly checking up on whether instructions are being followed. The close cooperation of civic clubs, women's organizations, and local committees, permits a smaller number of field workers than would otherwise be necessary.

The effectiveness of this phase of the work could be increased and the expense reduced by a closer coordination between it and the public health nursing activities of the department of health.

Hospitalization: Children are placed in hospitals at Louisville, Lexington, and Ashland for operations and subsequent care, which frequently involves long periods of hospitalization. The rates charged by these hospitals for cases under the care of the commission are as follows:

Two hospitals (Including laboratory services use of operating roms, x-ray, and plaster casts.)	$2.35 a day
One hospital (Including laboratory services, use of operating rooms, x-ray, and plaster casts.)	15.00 a week
Two hospitals (Board and nursing care only.)	1.00 a day

No hospital fees are paid for Louisville children. The fees paid are in all cases less than the per patient operating costs of the institutions. The average daily number of patients in hospitals during the year 1932-1933 exceeded 100.

During the year 334 new cases were admitted to hospitals, 336 cases were readmitted and 52 were treated without hospitalization.

Appropriation and Expenditure: The state appropriation was $110,000 in 1932-1933, involving a reduction by $40,000. Substantially all of this reduction is reflected in the expenditures for direct service, there being very little reduction in administrative expenses.

The administrative expenses of the commission are necessarily higher as a separate agency than they would be as an integrated part of a larger agency such as the department of health to which it is proposed that the functions of the commission be transferred. Specifically, in such a department the expense of the commission meetings would be eliminated and record keeping would be centralized in such a way as to reduce the expense.

Expenses of rent and light, amounting to $1,688.78 in the *calendar* year 1932, were paid by the Kentucky Society for Crippled Children and are not included in the statement.

The principal reduction in these expenses which can be

made if the commission remains a separate state agency is the elimination of one office employee. Some reduction might also be made in telephone and telegraph expense.

The field expenses are not excessive under the existing organization whereby it is impossible to coordinate the work with that of other state agencies who have workers in the field.

The four regular field workers of the commission are all graduate nurses. Their duties consist of locating crippled children, seeing that they attend clinics, and assisting with the conduct of clinics, investigating the ability of parents to pay for corrections, and following-up cases released from hospitals to see that home treatment instructions are being carried out. They are assisted at times by volunteer workers.

These activities are such that a large part of them could be handled in the course of routine work by public health nurses under the supervision of the department of health. If the duties were assigned to these nurses as a result of a transfer of the functions of the commission to the department of health they could be handled more expeditiously and at less expense than under the present organization where the special nurses of the commission must retrace the routes of the public health nurses already in the field.

The expenditures for medical and hospital service included are only those having to do directly with the correction of defects in crippled children. They include the direct expenses of clinics, hospitalization, and correction appliances. Additional amounts paid by parents for hospitalization and appliances are not included, nor is the value of free medical service. These expenditures produce tangible results since they are applied directly to accomplishing the purpose of the commission, to which other expenditures are but incidental. There is every indication that the handling of hospitalization and related services has been economical, thereby accomplishing the maximum results with a minimum of expenditures. A

considerably larger sum could be expended with proportionately greater results.

72. *Kentucky Children's Bureau*

MEANS OF FINANCING

General Fund Appropriation	$10,000.00	
Cash in Bank as of Beginning of Year	198.38	
Debt Floated:		
Accounts Payable as of June 30, 1933	39.07	$10,237.45

APPLICATION OF FUNDS

Expenditures:		
Ordinary Recurring Expenses:		
Salaries and Wages	$5,581.00	
Notary Fees	16.50	
Dues and Subscriptions	3.00	
Postage, Freight, and Express	130.00	
Telephone and Telegraph	186.06	
Electricity	23.09	
Towel Service	12.00	
Rent	330.00	
Traveling Expenses—Employes	2,531.43	
Traveling Expenses—Board Member	145.68	
Hospital Services	634.00	
Stationery and Office Supplies	174.36	
Posters	90.00	
Photographic Supplies	6.00	
Repair Supplies	6.50	
Medical Supplies	52.50	
Insurance—Fidelity	6.50	
Fedreal Tax on Checks	.84	$9,929.46
Capital Outlays:		
Office Equipment		145.00
Total Expenditures		$10,074.46
Debt Retired:		
Accounts Payable as of June 30, 1932		151.73
Cash on Hand as of End of Year		11.26
TOTAL		$10,237.45

Comments:

The "bureau" is not a bureau at all but a board of nine

members appointed by the governor. It is charged with discovering dependent, neglected, delinquent, and defective children and securing for them the benefit of the law, and generally concerning itself with matters of child welfare in the state.

A secretary and a treasurer are elected from its membership. Since its funds are required to be deposited in the state treasury, no need for the treasurer is seen. The state treasurer can and should have custody of, and disburse, the funds allotted.

By Section 331 1-4, K. S., the treasurer is to make monthly requisitions on the auditor for the amount necessary to meet the expenses of the month and provide an emergency fund for the month following. This provision seems to have been repealed by Section 108 of Chapter 32 of the Acts of 1932 providing that advances shall not be made but money shall be paid out only on proper vouchers.

The statement shows that $74.46 in excess of the amount appropriated was expended, without authority of law, out of cash advanced from the 1931-1932 appropriation and on hand at the beginning of the year.

73. *Kentucky School for the Blind*

MEANS OF FINANCING

General Fund Appropriations:		
For the White Department	$55,000.00	
Less Discount on State Warrants	1,010.63	$53,989.37
For the Colored Department	$8,000.00	
Less Discount on State Warrants	488.77	$7,511.23
For the Kentucky Workshop for the Adult Blind	$17,000.00	
Less Discount on State Warrants	357.40	16,642.60
		$78,143.20
Miscellaneous Receipts of White and Colored Departments		987.32
Prepayments:		
Unexpired Insurance as of June 30, 1932		2,257.56

Debt Floated:		
Accounts Payable as of June 30, 1933		2,572.68
Proceeds of Sales of Capital Assets—Kentucky Workshop for the Adult Blind		33.00
TOTAL		$83,993.76

APPLICATION OF FUNDS

Expenditures:		
Ordinary Recurring Expenses:		
White Department:		
Salaries	$23,765.51	
Wages	10,098.40	
Extra Labor	109.78	
Traveling Expenses	374.70	
Dry Goods and Clothing	482.62	
Groceries	2,092.01	
Breadstuffs	919.68	
Meat, Fowl, Fish, and Game	1,306.83	
Fruits, Vegetables, Milk, Ice	2,701.58	
Confections	310.21	
Drugs, Medicines, and Professional Services	648.08	
Books and Stationery	296.12	
Telephone	165.80	
Postage	150.01	
Laundry	125.10	
Building and Equipment Repairs and Renewals	638.28	
Vehicles and Garden Supplies	369.51	
Expenses on Live Stock	29.81	
Material for Workshop	165.27	
Fuel and Light	2,625.12	
Water Rent	565.49	
Tuning and Repairing Musical Instruments	39.72	
Amusements	54.66	
Interest on Short Term Loan	7.70	
Insurance	957.95	
Incidentals	49.98	$49,049.92
Colored Department:		
Salaries	$1,932.75	
Wages	1,211.89	
Traveling Expenses	52.52	
Dry Goods and Clothing	44.50	
Groceries	317.36	
Breadstuffs	91.51	
Meat, Fowl, Fish, and Game	215.10	

Fruits, Vegetables, Milk, and Ice	293.36	
Confections	53.98	
Drugs, Medicines, and Professional Services	19.28	
Books and Stationery	36.61	
Telephone	37.72	
Postage	33.00	
Laundry	11.04	
Building and Equipment Repairs and Renewals	43.95	
Material for Workshop	5.17	
Fuel and Light	889.89	
Water Rent	27.08	
Tuning and Repairing of Musical Instruments	5.60	
Insurance	100.84	
Amusements	13.68	
Incidentals	1.22	5,408.05
Total Ordinary Recurring Expenses		$54,457.97
Extraordinary Expenses and Capital Outlays:		
White Department:		
Restuccoing Building	$3,838.00	
Roof Work	1,971.00	
Painting	1,303.00	
Fire Escape Remodeling	252.00	
Heating Plant Repairs and Remodeling	720.36	
Household and Kitchen Funiture	1,246.49	9,330.85
Colored Department:		
Household and Kitchen Furniture		132.14
Kentucky Workshop for the Adult Blind:		
Workshop Machinery and Equipment		286.56
Total Extraordinary Expenses and Capital Outlays		$9,749.55
Total Expenditures		$64,207.52
Prepayments:		
Unexpired Insurance as of June 30, 1933		1,033.26
Debt Retired:		
Accounts Payable as of June 30, 1932		1,541.16
Increase in Working Capital Kentucky Workshop for the Adult Blind:		
Increase in Cash Balance	$1,290.04	
Increase in Other Current Assets	9,315.33	10,605.37

Net Loss from Operations—Kentucky Workshop for the Adult Blind (See Schedule A)	$7,218.65	
Add Book Expense Not Requiring Cash Outlay—Depreciation on Machinery and Equipment	612.18	6,606.45
TOTAL		$83,993.76

Comments:

The school for the blind is under the management of a board of visitors of five residents of Jefferson County "nominated by the governor and approved by the senate." In addition to managing the school the vocational education of the adult blind is included in its functions. It has its own treasurer and handles its own receipts and the amounts of appropriations turned over to it in blanket sums on warrant of the auditor. These practices are decidedly at variance with good financial practice which calls for centralized administration and of doubtful validity in view of the provisions of law requiring expenditures to be made only under appropriations on warrants of the auditor issued on the basis of audited vouchers.

The management would better be placed under a department having general functions of related nature such as either the department of public welfare or that of education, rather than be continued under a separate board.

SCHEDULE A—KENTUCKY WORKSHOP FOR THE ADULT BLIND

Loss from Operations:			
Broom Manufacturing:			
Cost of Goods Sold:			
Inventories July 1, 1932	$2,927.33		
Purchases	11,076.72		
Labor and Expense	8,021.84		
Commission	79.10		
	$22,104.99		
Inventories June 30, 1933	3,405.65	$18,699.34	
Less Return from Sales		15,383.10	$3,316.24

Upholstering:			
Cost of Goods Sold:			
Inventories July 1, 1932	$201.98		
Labor and Expense	3.00		
	$204.98		
Inventories June 30, 1933	129.43	$75.55	
Less Net Reutrns from Sales		8.00	67.55
Women's Industries:			
Cost of Goods Sold:			
Inventories July 1, 1932	$2,371.79		
Purchases	1.40		
Labor and Expense	181.91		
	$2,555.10		
Inventories June 30, 1933	811.09	$1,744.01	
Less Net Returns from Sales		277.24	1,466.77
Brush Manufacturing:			
Cost of Goods Sold:			
Inventories July 1, 1932	$1,381.17		
Purchases	59.68		
Labor and Expense	201.68		
	$1,642.53		
Inventories June 30, 1933	446.49	$1,196.04	
Less Net Returns from Sales		360.54	835.50
TOTAL			$5,686.06
Less Profit on Mop Manufacturing:			
Net Sales		$7,581.55	
Cost of Sales:			
Inventories July 1, 1932	$733.59		
Purchases	9,171.82		
Labor and Expense	1,812.63		
Commission	79.09		
	$11,797.13		
Inventories June 30, 1932	5,907.74	$5,889.39	1,692.16
Net Loss from Manufacturing Operations			$3,993.90

General Expenses:			
Salaries		$3,435.20	
Repairs		187.45	
Automative Expenses		207.32	
Extra Services		6.00	
Traveling Expenses		130.68	
Insurance		223.50	
Office Supplies		122.78	
Sundry Supplies		65.55	
Advertising		10.00	
Repairs to Equipment		13.75	
Telephone and Telegraph		103.62	
Postage		156.73	
Printing		47.10	
Fuel Oil		351.57	
Electricity and Gas		333.64	
Ice		27.90	
Miscellaneous Expenses		3.25	5,426.04
Net Loss from Operations Before Charging Depreciation			$9,419.94
Other Income and Expense:			
Other Income:			
Interest on State Warrants Held	$2,860.00		
Discounts Taken	120.71		
Rent Income—Office Space Leased	222.00	$3,202.71	
Less Other Expense:			
Discounts Allowed	$387.18		
Interest on Loan	2.04	389.22	2,813.49
Net Total Loss Before Allowance for Depreciation			$6,606.45
Allowance for Depreciation of Machinery and Equipment			612.18
Total Net Loss			$7,218.63

74. *Kentucky School for the Deaf*

MEANS OF FINANCING

General Fund Apropriations:		
White Department	$105,000.00	
Colored Department	7,500.00	$112,500.00
Less Amounts Lapsed as of End of Year:		
White Department	$1,092.96	
Colored Department	154.04	1,247.00
		$111,253.00

Less Discount on State Warrants Sold:		
White Department	$2,635.49	
Colored Department	219.16	2,854.65
		$108,398.35
Fund Balances as of Beginning of Year:		
Emergency Fund—White Department	$540.79	
Emergency Fund—Colored Department	280.77	
Library Fund	75.63	
Idle Hour Fund	52.19	949.38
Receipts of the Year:		
Emergency Fund—From Four Years' Appropriation	$1,022.80	
Library Fund	100.00	1,122.80
Prepaid Insurance as of Beginning of Year		2,862.86
Debt Floated:		
Accounts Payable as of June 30, 1933		853.56
TOTAL		$114,186.95

APPLICATION OF FUNDS

Expenditures:	
Ordinary Recurring Expenses:	
White Department:	
Salaries and Wages—Continuing	$68,280.27
Salaries and Wages—Temporary	758.38
Fees for Professional Services	22.00
Telephone, Telegraph, and Messenger Service	263.59
Postage, Freight, Express, and Cartage	365.81
Insurance—Fidelity	17.80
Traveling Expenses	164.69
Transportation of Pupils	353.56
Laundry Service	225.57
Rent—Safety Deposit Box	5.50
Board of Child in Private Home	46.58
Fuel, Light, and Power	8,834.18
General Plant Services	12.50
Renewals and Repairs	3,668.92
Ice and Water	1,335.04
School Supplies	564.11
Clothing and Bedding	1,426.42
Housekeeping Supplies	22.95
Provisions and Stores	11,473.72
Kitchen and Dining Room Supplies	24.94
Medical Supplies	690.07

General Plant Supplies	66.07	
Stationery, Printing, and Binding	70.72	
Office Supplies	3.67	
Flowers for Funeral	4.00	
Other Supplies	14.40	
Shop, Farm, and Garden Expenses	3,075.75	$101,791.21
Colored Department:		
Salaries and Wages—Continuing	$4,337.68	
Salaries and Wages—Temporary	26.00	
Telephone, Telegraph, and Messenger Service	22.00	
Postage, Freight, Express, and Cartage	3.06	
Transportation of Pupils	14.25	
Laundry Service	61.64	
Fuel, Light, and Power	884.53	
Renewals and Repairs	271.46	
Ice and Water	415.77	
School Supplies	22.52	
Clothing and Bedding	129.99	
Provisions and Stores	950.19	
Kitchen and Dining Room Supplies	10.00	
Medical Supplies	4.20	
General Plant Supplies	13.11	
Postal and Shoppers Guide	5.00	
Shop, Farm, and Garden Expenses	85.73	7,257.13
Amusement and Recreation		97.60
Magazines		50.80
Federal Tax on Checks		.04
Insurance—Fire and Tornado		1,645.36
Total Ordinary Recurring Expenses		$110,842.14
Capital Outlays:		
White Department:		
Household Furniture and Fixtures	$54,38	
Dining Room and Kitchen Equipment	50.47	
Office Equipment	58.70	
Farm and Dairy Equipment	31.35	194.90
Total Expenditures		$111,037.04
Debt Retired:		
Accounts Payable as of June 30, 1932		65.62
Fund Balances as of End of Year:		
Emergency Fund—White Department	$1,613.67	
Emergency Fund—Colored Department	173.74	

Library Fund	74.79	
Idle Hour Fund	4.59	1,866.79
Prepaid Insurance as of End of Year		1,217.50
TOTAL		$114,186.95

Comments:

Toward the end of each month an abstract of accounts payable, together with supporting vouchers is sent to the state auditor who prepares the necessary warrants to pay the accounts. With few exceptions, however, only one warrant is issued by the auditor, payable to the treasurer of the school to cover the accounts. The warrants thus issued are sent to the school and sold for a discount at local banks, and the net amount deposited to the school's bank account.

Because of the loss sustained by discounting of these warrants, sufficient funds are not made available to pay all accounts, and it has been the practice of the school to request an additional amount for its so-called "Emergency Fund," to cover the losses. This request is made on the abstract of vouchers sent to the auditor each month.

It has been the general policy of the state auditor not to pay for losses sustained on discounted state warrants but in the case of the school for the deaf these losses are passed along to the state treasury through the school's Emergency Fund. In one case a state interest-bearing warrant amounting to $1,529.03 was issued on June 29, 1932, payable to a vendor with which the school previously had made arrangements to purchase clothing at a discount from regular retail prices, for the children of the school, with the understanding that the vendor would receive cash or a state check for the full amount. When he received the warrant he sold it at a discount of $319.16, and the school's account was credited with only $1,209.87. The balance represented by the loss, was billed to the school which paid it by check out of its Emergency Fund.

The total recorded losses of the school during 1932-1933 on account of discounted warrants amounted to $2,854.65.

For all salaries, and bills amounting to less than $50, the school usually receives a state treasurer's check to cover their total amounts. To this extent the school avoids losses on state warrants.

In posting cash receipts and disbursements the school is usually a month behind. For example, June expenditures are not posted until in July after warrants or warrants and checks are received from the state auditor to pay the previous month's bills and salaries. State warrants and checks for accounts of one month are posted as receipts of the following month. Because of this procedure it was necessary to adjust the cash receipts and disbursements ledger for June transactions entered in July at the beginning and end of the year, in order to reconcile with the state auditor's records.

On the whole, the cash receipts and disbursements ledger accurately records transactions, but the classification of expenditures is not detailed enough nor sufficiently consistent to render any intelligent statement as to functional costs of the institution. For example, laundry services are charged to an account for repairs and renewals, it being explained by the superintendent that his books as prescribed by law did not provide for sufficient accounts to properly classify the expenditures of the school, and that he reasoned since laundering clothes placed them in good condition to wear, the laundry service expenses should be charged to renewals and repairs.

Where sufficient information was available to present a reclassification of expenditures, expenses have been reclassified. It was impossible, however, to reclassify them by functions and activities of the school.

Supporting vouchers for all expenditures of the period covered by the audit were available and in proper order.

The cash receipts and disbursements ledger was reconciled with the state auditor's records.

The cash balances of the Emergency Fund at the beginning and end of the year were reconciled with the bank balances as per the bank statements.

75. *Conveyance of Lunatics*

For conveying an idiot, feebleminded person, epileptic, or lunatic to an institution to which committed there is payable from the state treasury the actual traveling expenses of the attendant. The cost of returning any patient to the county from which sent is met in the same manner. (Section 216aa-85, K. S.)

MEANS OF FINANCING

General Fund Appropriations:	
For Ordinary Expenses	$9,000.00
Amount Overexpended	939.47
TOTAL	$9,939.47

APPLICATION OF FUNDS

Expenses (Classified by Counties):

County	Amount	County	Amount
Adair	$83.13	Carter	195.78
Allen	97.50	Casey	91.54
Anderson	11.15	Christian	----------
Ballard	66.10	Clark	21.00
Barren	108.45	Clay	87.21
Bath	45.83	Clinton	67.70
Bell	320.30	Crittenden	24.90
Boone	37.42	Cumberland	39.50
Bourbon	1.75	Daviess	340.07
Boyd	146.22	Edmonson	32.70
Boyle	11.54	Elliott	29.52
Bracken	25.45	Estill	30.88
Breathitt	28.00	Fayette	12.77
Breckinridge	220.08	Fleming	63.65
Bullitt	117.15	Floyd	262.67
Butler	106.06	Franklin	25.22
Caldwell	30.19	Fulton	150.30
Calloway	48.85	Gallatin	21.00
Campbell	315.31	Garrard	19.30
Carlisle	74.58	Grant	4.10
Carroll	9.60	Graves	153.50

County	Amount	County	Amount
Grayson	192.10	Meade	86.60
Green	35.09	Menifee	6.25
Greenup	91.40	Mercer	31.18
Hancock	12.00	Metcalfe	11.00
Hardin	126.80	Monroe	51.38
Harlan	246.52	Montgomery	33.18
Harrison	23.25	Morgan	64.50
Hart	116.50	Muhlenberg	98.55
Henderson	201.56	Nelson	18.80
Henry	36.32	Nicholas	3.30
Hickman	107.63	Ohio	141.44
Hopkins	74.44	Oldham	4.78
Jackson	29.23	Owen	62.45
Jefferson	127.80	Owsley	32.90
Jessamine	13.30	Pendleton	10.25
Johnson	93.82	Perry	210.73
Kenton	569.69	Pike	574.10
Knott	36.88	Powell	.....
Knox	66.18	Pulaski	144.77
Larue	55.35	Robertson	20.30
Laurel	134.68	Rockcastle	53.00
Lawrence	89.34	Rowan	42.16
Lee	41.03	Russell	82.00
Leslie	49.20	Scott	3.30
Letcher	53.26	Shelby	10.90
Lewis	65.16	Simpson	29.25
Lincoln	43.66	Spencer	18.00
Livingston	35.58	Taylor	29.50
Logan	46.80	Todd	16.85
Lyon	34.33	Trigg	20.35
Madison	25.37	Trimble	3.50
Magoffin	94.25	Union	155.80
Marion	46.43	Warren	139.79
Marshall	28.50	Washington	66.80
Martin	83.13	Wayne	273.60
Mason	39.55	Webster	49.50
McCracken	173.04	Whitley	242.66
McCreary	92.35	Wolfe	59.12
McLean	19.10	Woodford	6.34

$9,939.47

76. *Allowance to Pauper Idiots*

Each pauper idiot is allowed $75 a year (Sec. 364, K. S.), one half payable out of the state treasury and on half by the county (Sec. 216aa-57, K. S.).

MEANS OF FINANCING

General Fund Appropriations:	
For Ordinary Expenses	$40,000.00
Amount Overexpended	11,646.37
TOTAL	$51,646.37

APPLICATION OF FUNDS

Expenses (Classified by Counties):

County	Amount	County	Amount
Adair	$1,004.16	Daviess	300.00
Allen	675.00	Edmonson	450.00
Anderson	237.60	Elliott	225.00
Ballard	187.50	Estill	.....
Barren	412.50	Fayette	516.25
Bath	235.41	Fleming	225.00
Bell	1,125.00	Floyd	300.00
Boone	.....	Franklin	375.00
Bourbon	.....	Fulton	37.50
Boyd	375.00	Gallatin	75.00
Boyle	225.00	Garrard	225.00
Bracken	.....	Grant	.....
Breathitt	675.00	Graves	1,070.21
Breckinridge	362.92	Grayson	637.50
Bullitt	187.50	Green	262.50
Butler	637.50	Greenup	150.00
Caldwell	.....	Hancock	150.00
Calloway	412.50	Hardin	463.96
Campbell	450.00	Harlan	112.50
Carlisle	450.00	Harrison	450.00
Carroll	.....	Hart	487.50
Carter	166.87	Henderson	337.50
Casey	663.96	Henry	37.50
Christian	487.50	Hickman	.....
Clark	150.00	Hopkins	825.00
Clay	1,575.00	Jackson	750.00
Clinton	562.50	Jefferson	5,024.36
Crittenden	450.00	Jessamine	37.50
Cumberland	453.85	Johnson	562.50

County	Amount	County	Amount
Kenton	525.00	Nelson	337.50
Knott	403.33	Nicholas	.....
Knox	1,087.50	Ohio	921.14
Larue	337.50	Oldham	.....
Laurel	1,051.99	Owen	600.00
Lawrence	208.23	Owsley	412.50
Lee	262.50	Pendleton	337.50
Leslie	696.87	Perry	637.50
Letcher	787.50	Pike	487.50
Lewis	187.50	Powell	75.00
Lincoln	637.50	Pulaski	1,569.79
Livingston	262.50	Robertson	225.00
Logan	482.81	Rockcastle	1,425.00
Lyon	262.50	Rowan	187.50
Madison	300.37	Russell	525.00
Magoffin	562.50	Scott	187.50
Marion	412.50	Shelby	37.50
Marshall	675.00	Simpson	37.50
Martin	.....	Spencer	.....
Mason	225.00	Taylor	187.50
McCracken	487.50	Todd	450.00
McCreary	375.00	Trigg	75.00
McLean	37.50	Trimble	75.00
Meade	150.00	Union	150.00
Menifee	10.94	Warren	1,012.50
Mercer	375.00	Washington	337.50
Metcalfe	218.54	Wayne	450.00
Monroe	535.94	Webster	300.00
Montgomery	321.87	Whitley	750.00
Morgan	487.50	Wolfe	375.00
Muhlenberg	825.00	Woodford	37.50
			$51,646.37

77. *Jailer*

By Section 356, K. S., jailers are paid from the state treasury, fees as follows:

For imprisoning and releasing a prisoner charged with a felony or contempt	$.60
For keeping and dieting a prisoner under like charge, per day	1.00
For putting a prisoner in irons to secure his safekeeping in the jail, besides the cost of the irons	.50
For each day's attendance on the circuit court	2.00

For furnishing fuel, light, and water to the circuit court, not to exceed 2.00

Sheriffs receive the same fees when acting as jailers (Sec. 357, K. S.).

MEANS OF FINANCING

General Fund:

From Appropriation for Criminal Prosecutions $263,187.84

APPLICATION OF FUNDS

Expenditures (Classified by Counties):

County	Amount	County	Amount
Adair	$747.45	Floyd	6,238.20
Allen	1,617.05	Franklin	893.25
Anderson	356.95	Fulton	3,846.25
Ballard	733.55	Gallatin	170.80
Barren	1,827.35	Garrard	1,277.60
Bath	982.65	Grant	814.50
Bell	4,362.25	Graves	2,901.70
Boone	493.40	Grayson	1,060.35
Bourbon	3,707.75	Green	668.25
Boyd	4,861.80	Greenup	575.50
Boyle	3,099.75	Hancock	440.15
Bracken	76.00	Hardin	1,655.35
Breathitt	3,563.00	Harlan	10,983.70
Breckinridge	597.80	Harrison	750.80
Bullitt	565.15	Hart	125.95
Butler	1,042.90	Henderson	5,692.70
Caldwell	1,231.30	Henry	295.65
Calloway	1,056.65	Hickman	876.05
Campbell	4,887.10	Hopkins	4,399.25
Carlisle	491.15	Jackson	666.65
Carroll	422.15	Jefferson	39,126.60
Carter	1,048.10	Jesasmine	1,002.85
Casey	1,061.30	Johnson	1,199.05
Christian	7,527.95	Kenton	4,992.35
Clark	4,410.65	Knott	1,163.20
Clay	1,555.05	Knox	2,375.75
Clinton	916.45	Larue	941.20
Crittenden	277.55	Laurel	3,589.70
Cumberland	614.55	Lawrence	740.65
Daviess	5,563.40	Lee	767.25
Edmonson	958.60	Leslie	1,514.95
Elliott	151.25	Letcher	3,442.40
Estill	424.70	Lewis	945.70
Fayette	11,109.25	Lincoln	1,112.00
Fleming	780.75	Livingston	578.50

County	Amount	County	Amount
Logan	2,942.75	Pendleton	492.30
Lyon	472.60	Perry	4,481.15
Madison	5,077.70	Pike	8,554.20
Magoffin	1,145.15	Powell	288.25
Marion	1,260.09	Pulaski	2,162.95
Marshall	350.85	Robertson	16.00
Martin	984.65	Rockcastle	1,551.00
Mason	870.45	Rowan	2,096.45
McCracken	5,882.40	Russell	727.55
McCreary	2,685.85	Scott	1,269.15
McLean	74.20	Shelby	1,353.75
Meade	385.40	Simpson	1,170.35
Menifee	121.20	Spencer	47.05
Mercer	1,117.85	Taylor	719.95
Metcalfe	664.10	Todd	1,233.50
Monroe	1,140.20	Trigg	738.25
Montgomery	2,025.55	Trimble	192.90
Morgan	676.15	Union	2,027.65
Muhlenberg	3,866.45	Warren	4,248.75
Nelson	853.80	Washington	729.50
Nicholas	422.25	Wayne	2,168.35
Ohio	1,866.35	Webster	2,367.20
Oldham	701.45	Whitley	4,994.55
Owen	441.95	Wolfe	636.25
Owsley	487.75	Woodford	1,456.20
			$263,187.84

78. *Department of Education*

MEANS OF FINANCING

Appropriations from General Fund:		
For Vocational Education	$25,000.00	
Less Amount Lapsed as of End of Year	331.68	
	$24,668.32	
For Vocational Rehabilitation	$20,000.00	
For the State Text Book Commission	$3,000.00	
Less Amount Lapsed as of End of Year	2,546.05	
	$453.95	
For the War Orphans Fund	$3,600.00	
Less Amount Lapsed as of End of Year	2,666.75	
	$933.25	$46,055.52

Appropriations from School Fund:		
For Grants to Counties (Amount Distributed)	$4,972,660.00	
For Ordinary Expenses of the Department of Education	$60,000.00	
Less Amount Lapsed as of End of Year	930.69	
	$59,069.31	
For Interest on School Warrants	$19,630.33	
For Other Expensse Paid from School Fund (Amount Distributed)	$8,524.50	5,059,884.14
Appropriation from School Examination Fund:		
For Ordinary Expenses of the Division of Examination and Certification	$12,000.00	
Less Amount Lapsed as of End of Year	2.23	11,997.77
Total Appropriations		$5,117,937.43
Subventions and Grants:		
United States Government:		
From Smith-Hughes Fund	$124,460.01	
From George Reed Fund	84,530.17	$208,990.18
Donations from Private Persons and Corporations:		
For Vocational Rehabilitation:		
Balance as of June 30, 1932	$2.69	
Receipts of the Year	193.00	
	$195.69	
Deduct Balance as of June 30, 1933	32.59	
	$163.10	
Slater Fund—High Schools for Colored	2,550.00	
Anna T. James Fund—Supervision of Schools for Colored	2,875.00	
Julius Rosenwald Fund—Aid to Schools for Colored	753.40	
General Education Fund—Administration and Coordination of Educational Resources, Agencies, and Efforts	23,968.69	$30,310.19
Total Subventions and Grants		$239,300.37

Debt Floated:		
Accounts Payable as of June 30, 1933		$2,735.17
TOTAL		$5,359.972.97

APPLICATION OF FUNDS

Expenditures:		
Ordinary Recuring Expenses:		
Administration:		
General:		
Salaries	$48,801.70	
Witness Fees—Knox Case	73.20	
Court Reporting	30.00	
Sundry Fees	34.90	
Traveling Expenses	4,805.67	
Premium on Fidelity Bond (Superintendent's)	175.00	
Postage	2,700.00	
Freight, Express, and Cartage	31.23	
Telephone and Telegraph	687.68	
Stationery, Printing, and Binding	11,120.46	
General Repairs	30.82	
Rent of Typewriters	50.75	
Supplies	611.94	
	$69,153.35	
Text Book Commission:		
Salaries, Clerical	$220.00	
Traveling Expenses	241.25	
	$461.25	$69,614.60
Vocational Education:		
Supervision:		
Salaries, Professional	$12,213.00	
Salaries, Clerical	1,620.00	
Wages—Janitorial Services	90.00	
Traveling Expenses	3,220.06	
Communication	532.40	
Printing	105.44	
Supplies	251.67	
	$18,032.57	

Instruction:		
Agriculture	$110,831.53	
Home Economics	30,044.15	
Trades and Industries	16,710.99	
	$157,586.67	
Teacher Training:		
Agriculture	$10,767.39	
Home Economics	12,593.10	
Trades and Industries	3,338.50	
	$26,698.99	202,318.23
Vocational Rehabilitation:		
Supervision:		
Salaries, Regular	$9,900.00	
Salaries, Clerical	1,600.00	
Wages—Janitorial Services	90.00	
Traveling Expenses	2,813.28	
Communication	80.86	
Printing	208.06	
Supplies	510.78	
Sundries	71.10	
	$15,274.08	
Instruction:		
Educational Institutions	$18,039.92	
Industrial Establishments	10,392.40	
Correspondence Schools	157.50	
Tutors	8.25	
Instructional Supplies	4,779.28	
	$33,377.35	
Aid:		
Artificial Appliances	$1,643.00	
Transportation	980.35	
	$2,623.35	$51,274.78
Examination and Certification of Teachers:		
Salaries	$10,707.56	
Compensation for Grading Papers	888.03	
Freight	57.80	
Printing	315.43	11,968.82

Research (General Education Board Fund):		
Salary, Director of Information and Statistics	$4,000.00	
Salary, Stenographer	1,480.00	
Traveling Expenses	1,027.08	6,507.08
Planning and Construction of Public School Buildings (General Education Board Fund):		
Salary, Director of Planning and Supervision	$4,000.00	
Salary, Rural School Supervisor	4,000.00	
Salary, Architect	1,800.00	
Traveling Expenses	2,564.16	
Direct Aid on Construction of Rural School Buildings	1,375.00	13,739.16
Grants:		
Teachers' Salaries (See Schedule A)	$4,972,660.00	
Teachers' Salaries (Slater Fund)	2,550.00	
Supervising Teachers, Colored (Anna T. Jeanes Fund)	2,875.00	
Schools for Colored (Julius Rosenwald Fund)	753.40	
War Orphans, Education	933.25	
Teachers' Salaries and Equipment (General Education Board Fund)	1,040.52	4,980,812.17
Teacher Preparation:		
Teacher Training (General Education Board Fund):		
Salary, Director of Teacher Training	$1,583.30	
Salary, Stenographer	605.00	
Traveling Expenses	493.63	2,681.93
Debt Service:		
Interest on School Fund Warrants		19,630.33
Total Ordinary Recurring Expenses		$5,358,547.10
Capital Outlay:		
Administration:		
Furniture and Equipment	$573.29	
Vocational Rehabilitation:		
Furniture and Equipment	163.10	
Examination and Certification of Teachers:		
Filing Equipment	56.00	792.39
Total Expenditures		$5,359,339.49

Debt Retired:	
Accounts Payable as of June 30, 1932	633.48
TOTAL	$5,359,972.97

SCHEDULE A—DEPARTMENT OF EDUCATION, STATE AID GRANTS TO COUNTIES FOR TEACHERS' SALARIES.

County	Amount	County	Amount
Adair	$35,658.00	Fulton	28,532.00
Allen	29,792.00	Gallatin	7,014.00
Anderson	16,051.00	Garrard	23,107.00
Ballard	17,199.00	Grant	16,688.00
Barren	51,849.00	Graves	55,496.00
Bath	22,267.00	Grayson	36,806.00
Bell	87,983.00	Green	22,694.00
Boone	17,073.00	Greenup	55,097.00
Bourbon	29,855.00	Hancock	12,614.00
Boyd	79,527.00	Hardin	40,292.00
Boyle	27,440.00	Harlan	124,766.00
Bracken	15,862.00	Harrison	25,025.00
Breathitt	52,514.00	Hart	34,090.00
Breckinridge	33,306.00	Henderson	49,763.00
Bullitt	17,871.00	Henry	21,560.00
Butler	27,265.00	Hickman	16,590.00
Caldwell	25,872.00	Hopkins	70,602.00
Calloway	34,832.00	Jackson	27,419.00
Campbell	102,389.00	Jefferson	502,292.00
Carlisle	13,601.00	Jessamine	21,336.00
Carroll	14,910.00	Johnson	50,841.00
Carter	55,013.00	Kenton	133,084.00
Casey	39,151.00	Knott	39,172.00
Christian	60,053.00	Knox	60,522.00
Clark	30,464.00	Larue	17,395.00
Clay	49,609.00	Laurel	51,240.00
Clinton	19,320.00	Lawrence	37,590.00
Crittenden	22,820.00	Lee	23,359.00
Cumberland	23,275.00	Leslie	28,322.00
Daviess	78,204.00	Letcher	77,238.00
Edmonson	25,606.00	Lewis	30,695.00
Elliott	17,773.00	Lincoln	37,303.00
Estill	39,333.00	Livingston	16,723.00
Fayette	111,251.00	Logan	43,323.00
Fleming	23,597.00	Lyon	14,420.00
Floyd	98,098.00	Madison	53,172.00
Franklin	30,604.00	Magoffin	36,848.00

County	Amount	County	Amount
Marion	30,828.00	Pike	145,250.00
Marshall	25,802.00	Powell	14,476.00
Martin	22,325.00	Pulaski	81,067.00
Mason	29,582.00	Robertson	5,467.00
McCracken	78,848.00	Rockcastle	36,701.00
McCreary	34,916.00	Rowan	27,048.00
McLean	21,777.00	Russell	26,922.00
Meade	17,150.00	Scott	25,039.00
Menifee	12,649.00	Shelby	26,726.00
Mercer	26,621.00	Simpson	20,111.00
Metcalfe	19,663.00	Spencer	13,307.00
Monroe	29,085.00	Taylor	24,255.00
Montgomery	22,547.00	Todd	24,787.00
Morgan	36,309.00	Trigg	26,922.00
Muhlenberg	74,921.00	Trimble	9,849.00
Nelson	33,726.00	Union	34,202.00
Nicholas	14,329.00	Warren	59,668.00
Ohio	50,274.00	Washington	25,998.00
Oldham	12,005.00	Wayne	36,477.00
Owen	20,041.00	Webster	35,868.00
Owsley	16,884.00	Whitley	69,944.00
Pendleton	18,445.00	Wolfe	22,372.00
Perry	90,881.00	Woodford	20,279.00
			$4,972,660.00

Comments:

Expenses Charged to School Fund: As shown, expenses in the amount of $10,600.48 for court reporting, printing, premium on the bond of the superintendent of public instruction, etc., were charged directly to the common school fund instead of being charged to the appropriation from that fund for the expenses of the department. The law provides that, except for the expenses of the department, "no part of the common school fund or of the revenue thereof shall be used for any other purpose than the payment of teachers * * *." These apparently unauthorized charges have the effect of increasing the expenses of the department by nearly $10,000 above the amount authorized by appropriation.

The item of $19,630.33 for interest on school warrants

would seem to fall into the same category, further increasing the actual expenses over the amount of the appropriation.

Grants from Common School Fund: Grants are made to county, city, and graded school district boards, a stated amount being allowed for each child of school age, regardless of whether or not he attends the public schools. A much more equitable basis of allotment would be the number of children in actual attendance in the public schools.

Warrants for distribution of school funds moneys are issued by the auditor on requisition of the superintendent of public instruction. It has been the practice to deliver the warrants to the superintendent, though the law and good financial practice require distribution of the money direct to the district treasurers by the auditor. The superintendent has held the warrants in the cases of boards that had not complied with the requirements. Should such a procedure be followed in the cases of interest-bearing warrants, interest would be accruing on the warrants not delivered. This practice is said to have been changed, so that requisitions are not now made for the issuance of warrants for any districts until they are entitled to receive the money. This is much better. It is of interest to note that, though the former practice criticized is said not to be in effect at the present time, the bill of the Educational Commission, now before the general assembly, would definitely establish it by law.

Vocational Rehabilitation: The vocational rehabilitation expenses are charged arbitrarily to state and federal funds in such ways as to bring out the totals charged to each about even for each year. For example, all the expenses for a period of three months are charged to the federal funds, those for the next such period to the state appropriation, and so on, but toward the end of the fiscal year are split between the state and the federal funds so as to make the amounts charged come out even. This is an awkard and cumbersome method of accounting. Furthermore, it misrepre-

sents the facts from an accounting standpoint. A much better plan which would seem to be feasible would be to make all the expenditures from state funds which would be reimbursed at intervals for the federal share of all such expense.

Teacher Training: The division of teacher training was organized February 1, 1933, and operated for only five months of the year covered by this report.

79. *Kentucky Library Commission*

MEANS OF FINANCING

General Fund Appropriation:		
For Ordinary Expenses		$7,500.00
Receipts of the Year		91.81
Debt Floated:		
Accounts Payable as of June 30, 1933		20.17
TOTAL		$7,611.98

APPLICATION OF FUNDS

Expenditures:		
Ordinary Recurring Expenses:		
Salaries, Continuing	$5,640.00	
Salaries, Temporary	21.82	
Dues and Subscriptions	141.34	
Transportation of Books	64.37	
Repairing and Binding Books	294.19	
Traveling Expenses of Commission	3.02	
Traveling Expenses of Secretary	123.01	
Box Rent	3.00	
Telephone and Telegraph	12.00	
Library Supplies	81.49	
Office Supplies:		
Postage	170.22	
Printing	49.07	
Other Office Supplies	17.85	$6,621.38
Capital Outlay:		
Books		896.58
Total Expenditures		$7,517.96
Debt Retired:		
Accounts Payable as of June 30, 1932		94.02
TOTAL		$7,611.98

Comments:

This commission consists of five members appointed by the governor, who serve without compensation but are reimbursed for expenses. It employs a secretary selected from among its members, who is paid $2,400 a year, and has a clerical staff of three employes. The commission renders advisory service in the establishment of public libraries in local communities and may perform such other service in behalf of public libraries as it may consider for the best interests of the state. The furnishing of traveling libraries is now its principal function.

The law provides for the payment of the expenses of the commission through the auditor on itemized statements. A continuing appropriation of $6,000 a year was provided in the act establishing the commission, but Section 110 of Chapter 25 of the Acts of 1932, abolished all continuing appropriations. This chapter provided in Section 14, an appropriation of $9,000, which was vetoed by the governor to the extent of $1,500, leaving $7,500.

The commission also made expenditures from its own receipts from fines and reimbursements of expense and other sources, without appropriation. No color of authority for such expenditures could be found in the law.

The books of accounts kept by the commission include,

Cash Book
Voucher Register
Accounts Payable Register

No accounts are kept for receivables. Fines are paid immediately, transportation charges ($2.10 per case) on traveling libraries are paid in advance of shipment, and charges for damaged and lost books are collected after the traveling libraries are returned. Most of the latter are paid promptly, but in a few cases run for several months during which time an open correspondence file is kept for all charges due. As soon as an account is paid the correspondence pertaining to it is

filed in the general files of the library. The accounts receivable at any one time do not appear to amount to more than $50.

In the case of charges for transportation of books, the $2.10 flat charge per case is not sufficient to cover all such transportation costs. The transportation costs during the year 1932-1933 exceeded the reimbursements by $64.37. However, the excess is not of such a great amount that the commission cannot afford the loss as a part of its service, especially to the poor districts of the state having no or little library service.

The books of account are adequate for the commission, and were found to be accurately kept, with the exception of a $1 error in addition of salaries paid during 1932-1933. It was suggested that a register or journal of accounts receivable be kept in order to assure a complete and accurate accounting for them.

Bills are paid once a month. The bills payable are listed in a letter to the state auditor transmitting copies to him. Warrants and checks in payment of bills are sent by the auditor to the secretary of the commission for distribution. The vouchers are filed alphabetically by vendors.

Although the commission may receive donations, etc., it received none during the period of the audit; and it has no resources other than state appropriations and receipts as explained.

The secretary of the commission is not bonded.

80. *Kentucky State Park Commission*

MEANS OF FINANCING

General Fund:		
State Appropriation	$10,000.00	
Receipts of hte Year	9,257.62	
	$19,257.62	
Less Balance Lapsed as of End of Year	323.03	$18,934.59
Debt Floated:		
Accounts Payable as of June 30, 1933		76.11
TOTAL		$19,010.70

APPLICATION OF FUNDS

Expenditures:		
Ordinary Recurring Expenses:		
State Park Commission:		
Salaries	$3,108.46	
Traveling Expenses	521.01	
Telephone	220.25	
Freight and Express	13.90	
Stationery	444.02	
Postage	106.00	
Office Supplies	19.64	$4,433.28
Pioneer Memorial State Park:		
Salaries and Wages	$3,716.10	
Traveling Expenses	33.10	
Printing	117.69	
Renewals and Repairs	410.94	
Freight and Express	4.51	
Insurance	285.78	
Water	127.75	
Electricity	20.77	
Coal	89.90	
Broadcast—Corner Store Ceremonies	25.00	
Rental—Amplifiers	15.00	
Repair Supplies	63.44	
Miscellaneous	268.91	5,178.89
Natural Bridge State Park:		
Salaries and Wages	$1,024.44	
Insurance	77.35	
Coal	46.06	
Repairs	213.48	
Repair Supplies	7.34	
Freight and Express	.84	
Miscellaneous	9.21	1,378.72
Cumberland Falls State Park:		
Insurance	$44.56	
Repairs	62.05	
Freight and Express	4.84	111.45
Cumberland State Park:		
Salaries	$143.00	
Insurance	38.50	
Repairs	8.45	189.95

Butler Memorial State Park:		
Insurance	$40.50	
Traveling Expenses	17.20	57.70
Blue Licks Battlefield State Park:		
Salaries and Wages	$497.50	
Traveling Expenses	1.60	
Printing	15.00	
Repairs	116.89	
Freight and Express	15.52	
Miscellaneous	45.75	692.26
Blue and Gray State Park:		
Salaries and Wages	$90.50	
Printing	10.00	
Insurance	127.05	
Repairs	164.30	
Miscellaneous	30.00	421.85
Levi Jackson Wilderness Road State Park:		
Recording Deeds of Rights of Way	$6.25	
Blue-prints	.82	7.07
Total Ordinary Recurring Expenses		$12,471.17
Capital Outlays:		
Pioneer Memorial State Park:		
Permanent Improvements	$3,187.05	
Lawn Mower	21.00	
Natural Bridge State Park:		
Permanent Improvements	361.19	
Fire Hose	40.97	
Cumberland Falls State Park:		
Permanent Improvements	37.30	
Butler Memorial State Park:		
Permanent Improvements	2,352.19	
Blue Licks Battlefield State Park:		
Permanent Improvements	457.40	6,457.10
Total Expenditures		$18,928.27
Debt Retired:		
Accounts Payable as of June 30, 1932		82.43
TOTAL		$19,010.70

Comments:

The commission consists of the governor, the dean of the agricultural college of the university, the director and state geologist of the geological survey, and a fourth member appointed by the governor. Its functions are to acquire, hold, manage, and improve property for purposes of state parks.

It is authorized to charge fees for the use of the parks and to use the proceeds for park purposes. The fees and other income of state parks and $10,000 besides were appropriated for the fiscal year 1932-1933.

The commission has control over ten state parks and the auditors found some receipts turned in during the fiscal year by six of these parks. After July 1 arrangements were made to charge admission at one other state park. Receipts were collected from the following sources:

Admission to the parks
Rents from hotel and concession
Registration
Sale of Merchandise

All receipts are transferred to the state auditor and added to the recorded appropriation of the commission. All expenditures are paid by the state treasurer on vouchers approved by the state auditor. One exception to the rule of having all receipts deposited in the state treasury was the receipts received from the Cumberland State Park. Mrs. Cromwell said that she was operating this park as a sort of an experiment. During the year a balance of $9.55 was turned over as net receipts. The auditors were unable to reconcile this amount from the statement of receipts and disbursements turned in at irregular periods by the manager of the park. No authority appears for this method of operation.

During the fiscal year the commission had quite a number of pamphlets printed which were supposed to be sold at 10 cents apiece. These were distributed to the various parks and others were used for advertising purposes. The total cost of

these pamphlets was charged to office expense during the year, although not all have been disposed of. Certain pamphlets were sent to the custodian for sale at the state capitol, but no record has been found of any accounting for the funds collected from this source. The custodian also handles the sale of the "Progress" Magazine, which is the state progress commission publication and has nothing to do with the park department.

Merchandise is purchased at the various parks for resale. No control of this merchandise is provided at the central office, as all merchandise purchased is charged directly to the miscellaneous expense account.

81. *Kentucky National Park Commission*

MEANS OF FINANCING

Balance in Treasury as of Beginning of Year	$238,588.68	
Balance in Hands of Commission Turned Over to State Treasury During the Year	33,407.61	$271,996.29

APPLICATION OF FUNDS

Capital Outlays:		
Purchase of Land	$68,822.42	
Surveying Expenses	5,116.09	
Court Costs	68.12	
Appraised Work	195.00	
Recording Deeds of Land	13.75	
Traveling Expenses	47.33	
Supplies	195.50	$74,458.30
Balance in Treasury as of End of Year		197,537.99
TOTAL		$271,996.29

Comments:

This commission consists of seven members appointed by the governor. Its purpose is to acquire lands and other property and convey them to the United States for national park purposes. It is given the right of condemnation and to pay the expenses of condemnation proceedings, the judgments, the awards, and such other expenses as may be necessary to ac-

quire such property. The commission is given the power to receive and hold any property, money or gifts for its purposes and to use the proceeds therefor. Expenditures are to be made through the auditor on vouchers presented for payment in regular cause.

Under these circumstances there seems to be no need for the treasurer of the commission, for which the law provides. In any event, a separate treasury is undesirable.

No appropriation is made for the year 1932-1933 and no authority of law is found for any expenditures for that year. Evidently it is assumed that the commission has the right to spend the balance of funds on hand for its purposes, without appropriation. The law, in fact, seems to contemplate this, as it says, in Section 3766a-12 that all expenditures from any fund "previously appropriated by the general assembly and remaining unexpended" shall be expended only in the manner provided. But Section 110 of Chapter 25 of the Acts of 1932 repealed all continuing appropriations.

As shown by the statement, there is a substantial balance on hand available for appropriation and expenditure for the commission's purposes, of which $74,458.30 was so expended in the year under review.

82. *My Old Kentucky Home Commission*

MEANS OF FINANCING

Cash Balance as of June 30, 1932	$4,451.19	
Receipts of the Year	11,358.20	$15,809.39
Debt Floated:		
Accounts Payable		6,875.99
TOTAL		$22,685.38

APPLICATION OF FUNDS

Expenditures:		
Ordinary Recurring Expenses:		
Salaries and Wages	$5,812.04	
Sundry Fees	7.50	
Traveling Expenses	479.75	

Stationery and Supplies	159.72	
Postage	28.87	
Freight, Express, and Cartage	15.35	
Telephone and Telegraph	58.76	
Water, Gas, and Electricity	90.41	
Fuel	279.05	
Laundry	21.10	
Grounds Upkeep Supplies	396.48	
Repairs to Roadway	480.90	
Repairs, Renewals, and Decorating	517.81	
Kerosene, Gas, Oil, and Garage Service	87.38	
Advertising and Literature	631.49	
Souvenirs	714.66	
Radio Facilities—Steven Foster Program	78.59	
Band Pay and Transportation	59.23	
Dues—Kentucky Progress Association	600.00	
Donation for Kentucky Room at World's Fair	300.00	
Insurance	815.28	
Miscellaneous Expense	14.00	$11,648.37
Capital Outlay:		
Construction of Pavilion	$5,016.47	
Draperies	399.20	
Floor Mats	32.25	
Typewriter	56.30	5,504.22
Total Expenditures		$17,152.59
Debt Retired:		
Accounts Payable as of June 30, 1932		2,069.68
Cash Balance as of June 30, 1933		3,463.11
TOTAL		$22,685.38

Comments:

The commission consists of the governor and four members appointed by the governor and confirmed by the senate. Its purpose is to provide for the improvement and maintenance of the "Old Kentucky Home" as a memorial. It elects a treasurer, an unnecessary officer, as all the funds of the commission can and should be handled through the state treasury.

It is authorized to charge for admissions and to promote the "Old Kentucky Home Memorial Association" the only

function of which appears to be to receive dues from its members to be turned over for use by the commission.

All receipts of the commission were appropriated for the year 1932-1933 to be paid out on warrants of the auditor on proper vouchers.

The $600 item of expenditure for dues to the Kentucky Progress association seems to be an improper expense as it involves in effect the transfer of money appropriated for the expenses of one agency to another agency, in this case the Kentucky Progress Commission for the expenses of which the dues of the Kentucky Progress Association are used.

83. *Kentucky Confederate Home*

MEANS OF FINANCING

General Fund Appropriation:		
For Ordinary Recurring Expenses	$8,000.00	
Less: Balance Lapsed as of End of Year	1,406.14	$6,593.86
Fund Balances as of Beginning of Year:		
General Fund—Confederate Home	$452.55	
Donation Account	141.40	
Petty Cash	206.35	800.30
Prepaid Insurance as of Beginning of Year		676.01
Debt Floated:		
Accounts Payable as of June 30, 1933		15.83
TOTAL		$8,086.00

APPLICATION OF FUNDS

Ordinary Recurring Expenses:	
Salary of Commandant	$1,800.00
Salaries—Employes	1,785.00
Wages—Temporary Laborers	44.00
Subscriptions	11.70
General Repair	19.67
Freight	7.24
Telephone and Telegraph	82.46
Postage	13.00
Water and Pipe Rent	150.00
Safety Deposit Box Rent	3.30
Insurance—Fire and Tornado	236.66

Insurance—Indemnity	36.50	
Laundry Service	10.15	
Traveling Expenses	142.45	
Light and Power	411.98	
Funeral Expenses	90.00	
Food Supplies	721.67	
Fuel	1,219.45	
Insecticides	7.50	
Soap	10.35	
Oil	1.00	
Medical Supplies	47.12	
Stationery	12.62	
Other Expenses	5.00	$6,868.82
Debt Retired:		
Accounts Payable as of June 30, 1932		4.33
State Warrants on Hand as of June 30, 1933		509.28
Overpaid Insurance as of June 30, 1933		417.55
Fund Balances as of End of Year:		
General Fund Confederate Home	$149.62	
Donation Fund	136.40	286.02
TOTAL		$8,086.00

Comments:

The management of the Kentucky Confederate Home is vested in a board of trustees of fifteen members appointed by the governor who must be confederate veterans or their sons.

The institution as now operated is excessively expensive for the few veterans accommodated and should be closed and sold or turned to more effective use, with other less expensive provision for the present inmates.

There are several provisions in the statutes for continuing appropriations for the home, some of them conflicting. Section 110 of Chapter 250, of the Acts of 1932 repeals all continuing appropriations and appropriates $8,000 for the year 1932-1933.

The cash balance, general fund account was established several years ago and has been built up from a number of sources, some of which are now much in doubt. The commandant states that he thinks it came about originally from

the sale of junk after a fire at the home and maybe from some donations. A report of a private auditor in 1929 states that part of this balance developed from errors in handling transactions. There is no reason why any such cash balance should be retained. It should be deposited in the treasury, and if occasion warrants, an imprest fund should be established by an advance from the treasury.

The staff was as follows:

Commandant	$1,500
Physician (part-time)	300
Engineer and Laundryman	660
Nurse	360
Nurse	300
Cook	345
Night Fireman (part-year)	120

There was thus about one employe apiece for the six inmates resident in the home during the year.

The accounting records of the home consist of a general ledger, cash book, petty cash book, and purchase journal. Postings to the general ledger are made from the cash book and purchase journal. The general ledger and cash book are not very accurately kept.

As a general rule postings are made under date of the end of each month for the transactions for the month, regardless of the date on which the transactions were actually completed and posted. In other words, the accounts are not closed at the end of each month, but are left open until the transactions in that month have been completed in a following month. The result is that the books are out of balance at the end of each month, by the amounts of the debit and credit transactions in the following month posted to the month for which the trial balance is taken.

No accounts appeared in the general ledger for petty cash although the home had a petty cash fund amounting to $206.35 up to September 2, 1932, when it was closed into the cash balance general fund account, by order of the state audi-

tor. Petty cash was reimbursed by checks from state treasurer, and its disbursements were charged to an account petty expenses.

No accounts were set up to show the amount of state warrants held by the treasurer of the board of trustees for the home, and the amount due to cash balance general fund account on account of the warrants cashed by the fund and held by the treasurer.

The petty cash book shows disbursements in detail by recipients and purposes, and the state treasurer's checks reimbursing the petty cash account.

The purchase journal is accurately kept. In it are listed for each month the invoices by name of vendor, the amount of each invoice, and the distribution of expenditures by accounts.

The home receives very little money. Its operations are financed almost entirely by state appropriations. Occasionally there are some small receipts from the sale of junk, rentals (building and land) which are deposited with the state treasurer. Other receipts are donations from patriotic societies and individuals. These are credited to a donation account and deposited in a checking account. Disbursements are approved by the board and made by the commandant who signs checks as assistant treasurer.

At the end of each month or soon thereafter, the commandant brings together all invoices and bills payable, lists them, has them approved for payment by the board of trustees or its executive committee, and transmits them to the state auditor for payment. As a general rule a state treasurer's check for the *total* amount of the invoices is sent to the home and deposited in a checking account upon which checks are drawn by the commandant to pay the individual invoices. The pay roll of the home is handled in the same manner. Invoices amounting to more than $50 however, are paid by warrants, which are sent to the home for mailing. In two recent cases warrants have been issued for the total of the invoices and

were not accepted by the bank for deposit. In order to pay the vendors, the warrants were cashed by the cash balance general fund of the home by checks issued in one case to the Peirce Valley State Bank and in another case to the Kentucky Confederate Home, which were deposited in the home's bank account upon which individual checks were drawn in favor of the vendor. The warrants are at present held in a deposit box.

The cash balance general fund account was established over a period of years through various sources. The commandant stated that he thought it came from the sales of junk after a fire at the home, and maybe from some donations. A report of a private auditor made in 1929 states that part of the fund developed from errors in transactions of the home.

84. *Confederate Pension Department*

MEANS OF FINANCING

General Fund Appropriations:		
For Ordinary Expenses	$4,000.00	
Transfers from General Emergency Appropriation	600.00	
	$4,600.00	
Less: Amount Lapsed as at End of Year	9.73	$4,590.27
Debt Floated:		
Accounts Payable as of June 30, 1933		5.75
TOTAL		$4,596.02

APPLICATION OF FUNDS

Expenditures:		
Ordinary Recurring Expenses:		
Salaries	$4,359.96	
Telephone and Telegraph	80.90	
Repairs to Typewriter	7.50	
Postage	105.76	
Printing and Stationery	25.31	
Office Supplies	16.59	$4,596.02

Comments:

The payment of pensions to confederate veterans and their widows eligible therefor under the provisions of the law,

and funeral expenses, is administered by the commissioner of Confederate pensions, whose decisions are final except for right of appeal to the state pension board composed of the governor, the auditor, and the secretary of state.

The salaries of the two clerical employes $900 and $1,200 are low compared with those in some of the other state offices.

The department carried over enough postage stamps from 1931-1932 to last through the year 1932-1933. It bought again in June, 1933, enough for practically the whole year following. It carried over also a large amount of office supplies, sufficient so that none had to be purchased during the period from July 1 to December 31, 1933.

The amounts of pension and other payments made are shown in the next statement. This one covers only the expenses of administration of the department.

85. *Confederate Pensions*

MEANS OF FINANCING

General Fund Appropriation	$180,000.00	
Additional Allotment from General Fund Under Section 415b-15 of the Statutes in Accordance with Opinion of the Attorney General	106,937.71	$286,937.71
Debt Floated:		
Accounts Payable as of June 30, 1933		45,188.69
TOTAL		$332,126.40

APPLICATION OF FUNDS

Expenditures:		
Ordinary Recurring Expenses:		
Pensions	$275,273.37	
Allowances for Burial Expenses	8,745.85	$284,019.22
Debt Retired:		
Accounts Payable as of June 30, 1932		48,107.18
TOTAL		$332,126.40

Comments:

Pensions are payable to Confederate veterans of the civil war and their widows, and burial expenses likewise, under conditions of eligibility prescribed in the law.

As shown, the expenditures far exceed the appropriations, this being permitted as a result of an opinion by the attorney general under the provisions of Section 415b-15 of the statutes which authorizes the issuance of interest-bearing warrants for the payment of pensions when there is not sufficient cash in the treasury for their payment. The question, however, was not one of available cost, but of authorized expenditure. The lawmaking body of the state said its last word on this subject prior to the fiscal year under review in making the appropriation of $180,000 and repealing all blanket and continuing appropriations. In the light of the provisions of other sections quoted in Chapter VIII of this report it seems clear that the expenditures in excess of the appropriation were without authority of law, the opinion of the attorney general to the contrary notwithstanding.

86. *Disabled Ex-Service Men's Board*

MEANS OF FINANCING

General Fund Appropriation:		
For Ordinary Expenses	$20,000.00	
Less: Amount Lapsed as of End of Year	1,627.64	$18,372.36
Debt Floated:		
Accounts Payable as of June 30, 1933		36.58
TOTAL		$18,408.94

APPLICATION OF FUNDS

Exenditures:	
Ordinary Recurring Expenses:	
Salaries	$15,665.14
Recording Fees	11.00
Office Rent	100.00
Telephone and Telegraph	342.11
Traveling Expenses	922.26
Freight and Cartage and Express	9.85

Towel Service	13.90	
Repairs	40.30	
Postage	750.00	
Ice	35.20	
Office Supplies	374.88	$18,264.64
Capital Outlays:		
Correspondence Files		109.65
Total Expenditures		$18,374.29
Debt Retired:		
Accounts Payable as of June 30, 1932		34.65
TOTAL		$18,408.94

Comments:

The disabled ex-service men's board consists of the lieutenant governor, the state commander of the American Legion and a third member chosen by them. Its functions are to assist disabled war veterans and their dependents to secure action on claims for compensation or other aid to which they are entitled under federal laws.

The board employs a secretary at $3,900, an assistant secretary at $3,000 and six clerical employes at $900 to $1,800 a year. The expense for personal services and in total seems high. Similar service is commonly rendered without charge by service officers of the organizations of veterans. Other states in general do not find it necessary to supplement the services of the veterans' organizations on any such scale.

87. *Overton Pension*

MEANS OF FINANCING

General Fund Appropriation:	
For Ordinary Expenses	$600.00

APPLICATION OF FUNDS

Ordinary Recurring Expenses:	
Pension to William D. Overton	$600.00

Comments:

An appropriation in the amount shown has been made annually under the title "Overton Appropriation" to provide a pension to William D. Overton, who was injured and disabled in an accident in firing a cannon at a celebration provided for by the general assembly. The general assembly in 1924 provided for a pension of $50 a month. The amount of the appropriation is paid directly to the beneficiary.

88. *Robinson Pension*

MEANS OF FINANCING

General Fund Appropriation:	
For Ordinary Expenses	$600.00

APPLICATION OF FUNDS

Ordinary Recurring Expenses:	
Pension to Mrs. Edmonia Robinson	$600.00

Comments:

Mrs. Edmonia Robinson is the widow of Owen D. Robinson, a former guard at the penitentiary who was shot and disabled by a prisoner in 1884. Robinson was provided with a pension of $50 a month for life, in 1926. He died in that year and in 1928 the general assembly provided for continuation of his pension to his widow. An appropriation has been made each year since 1928 for this pension which is paid directly to Mrs. Robinson.

89. *Debt Service—Interest*

MEANS OF FINANCING

General Fund	$500,009.74
Sinking Fund	193,234.98
State Fair Sinking Fund	11,820.00
School Fund	19,630.33
University of Kentucky Fund	960.00
Murray State Teachers College Fund	2,301.34
Western Kentucky State Teachers College Fund	787.64
Kentucky Progress Association Receipts	269.19
	$729,013.22

Debt Floated:		
Accrued Interest on General Fund Warrants Unpaid as of June 30, 1933		291,218.55
TOTAL		$1,020,231.77

APPLICATION OF FUNDS

Interest on Funded Debt:		
Perpetual Bonds	$10,200.00	
State Fair Bonds (Statement IX-68)	11,820.00	$22,020.00
Interest on Foating Debt:		
General Fund Warrants	$708,508.00	
School Fund Warrants (Statement IX-78)	19,630.33	
University of Kentucky—Notes	960.00	
Murray State Teachers College—Notes	2,301.34	
Western Ky. State Teachers College—Notes	787.64	
Kentucky Progress Association—Notes (Statement IX-70)	269.19	
Kentucky School for the Blind—Notes (Statement IX-73)	9.74	732,466.24
		$754,486.24
Overpayments of Interest on General Fund Warrants—Not Refunded:		
Gulf Refining Company—Warrant No. F958	$50.00	
American National Bank, Bowling Green, Warrant No. F5859	5.00	
First National Bank, Nicholasville, Warrant No. F8052	5.00	
Kentucky Farmers Bank, Catlettsburg, Warrant No. F8859	2.50	
C. E. Weisenberger—Warrant No. F9630 (Added to total interest calculated without explanation)	59.90	122.40
Refunds on Overpayments of Interest on General Fund Warrants—Not Credited to the Interest Account		205.55
Debt Retired:		
Accrued Interest on General Fund Warrants Unpaid as of June 30, 1932		265,417.58
TOTAL		$1,020,231.77

For comments see Chapter X.

90. *Debt Service—Discount On Warrants*

Murray State Teachers College	$3,000.00
University of Kentucky	12,061.09
Morehead State Teachers College	10,187.50
Kentucky State Industrial College for Colored Persons	32.15
Kentucky Crippled Children's Commission	7,084.84
Kentucky School for the Blind	1,856.80
Kentucky School for the Deaf	2,854.65
	$37,077.03

CHAPTER X.

State Debt

Constitutional Provisions:

Section 49 of the constitution of the state reads as follows:

> "The general assembly may contract debts to meet casual deficits or failures in the revenue; but such debts, direct or contingent, singly or in the aggregate, shall not at any time exceed five hundred thousand dollars, . . . Provided, the general assembly may contract debts to repel invasion, suppress insurrection, or, if hostilities are threatened, provide for the public defense."

It will be noted that no authority is given by this provision for contracting any debt, even within the $500,000 limitation, except "to meet casual deficits or failures in the revenue," and except for the emergency purposes stated in the provision.

Section 50 goes on to say that *no debt at all* shall be contracted, except for the purposes mentioned in Section 49, unless it has been authorized by vote of the people, but this provision does not apply to debts incurred to pay previously existing debt of the state. This last proviso has been construed to apply only to the state debt in existence at the time the constitution was adopted.

Section 184 of the constitution recognizes the indebted-

ness of the commonwealth in favor of the board of education of $1,327,000. This not being created by the general assembly would seem to be outside the contemplation of the two other sections mentioned.

Under Section 157a the credit of the commonwealth may be given, pledged, or loaned to any county for public road purposes.

Existing Indebtedness:

Notwithstanding these clear provisions of the constitution, the state on June 30, 1933, was actually in debt to the aggregate amount of over $17,600,000 exclusive of the permanent funded debt. As of June 30, 1933, the total debt was distributed as follows:

Permanent Debt:	
A bond dated July 1, 1897, for $165,000.00 bearing interest at 6 per cent per annum, payable semi-annually to the State University (formerly A. & M. College) and the Kentucky State Industrial College for Colored Persons, issued under an Act of May 21, 1897 (Federal Land Grant Fund)	$165,000.00
There are also outstanding state and County bonds* issued for school purposes as follows:	
County bonds, issued January 1, 1885	$381,986.08
State bonds, issued January 1, 1870	1,327,000.00
New school bonds, issued March 12, 1892	606,641.03
	$2,315,627.11
Funded Debt of the State Fair:	
Bonds for the construction of the merchants and manufacturers building	$110,000.00
Floating Liabilities:	
General Fund Warrants	$15,190,145.45
School Fund Warrants	538.50
Road Fund Warrants	1,868,572.11

* The state and county bonds, bearing interest at 6 per cent per annum payable semi-annually, are held for the benefit of the school fund. These bonds are not strictly speaking debts of the state.

Notes Payable	17,000.00
Current Accounts Payable**	172,388.28
Accrued Interest on Warrants	291,218.55
Total Floating Liabilities	$17,539,862.89

** Exclusive of Road Fund Accounts.

In addition bonds have been issued under Section 4356s-4 for acquiring toll bridges. Since the state highway commission was not included within the scope of this audit, no figures are available as to the amounts of such bonds outstanding but the auditor in his report for the year ended June 30, 1933, shows receipts of $1,237,515.92 and disbursements of $1,018,-446.47 of the sinking fund provided for the redemption of such bonds.

The issuance of these bonds is upheld on the ground that they do not constitute debt of the state since they are made payable only from the tolls collected for the use of the bridges, and do not become general obligations of the state. This is just a quibble. With the state as the proprietor of the toll bridges the receipts from the tolls become state funds although allocated to a particular purpose. The general assembly could, in the exercise of its same powers, have allocated them to other purposes. If it, in fact, had the power to authorize the contracting of this debt payable from state funds, then by the same token it could authorize the building of dormitories at educational institutions by bonds payable from the receipts of such dormitories, educational buildings payable from tuition, ward buildings at other institutions payable from receipts for care of patients, and an endless array of other bonds for specific purposes payable from receipts from charges, or even special taxes, levied for the particular purpose.

The bond issue of $177,000 for the merchants and manufacturers building at the State Fair is another example of a case in which bonds were issued upon a similar pretext to remove them from the constitutional limitation.

It is to be noted that none of these were "to meet casual deficits or failures in the revenue".

The Warrant and Accounts Payable Situation:

But the most serious situation as affecting the state's total indebtedness is that created by the large volume of outstanding warrants, and the standing practice of carrying over considerable amounts of accounts payable at the end of a year and paying them from the appropriations and receipts of the ensuing year, without even their recognition as obligations of the year in which they were incurred.

This large volume of debt has been incurred, not to any large extent "to meet casual deficits or failures in the revenue", but primarily as a result of failure to provide sufficient revenues to meet the expenditures authorized by appropriations or otherwise allowed to be made for any year. So that even though the amount had been limited to less than $500,000 with other debts not excepted, this debt would still have been created in contravention of the constitution.

It is beyond understanding that this steadily mounting volume of debt not only has not been checked by the courts when the question has been presented to them, but the decisions of the courts seem to be involved in confusion and inconsistency and difficult to follow in the light of reason and common sense.

Though holding that appropriations cannot be made whereby a deficit of over $500,000 will be created, in another case the courts have ruled that the issuing of warrants by the auditor for the ordinary expenses of government is not an act which *ipso facto* creates a debt, but for the legislature to provide for the payment of such warrants by the borrowing of money does create a debt. This attitude of the courts is past all belief. This latter decision seems to overlook entirely the fact that the debt has already been created before the auditor issues his warrants, which are the means of discharging the obligations of the state, in other words its indebted-

ness, already incurred. Whether such obligations are evidenced by accounts payable, by orders on the treasurer to pay such accounts that have the effect of certifying to their validity, by notes promising to pay, or by formal issues of bonds, is immaterial so far as the facts are concerned. The state is actually indebted in the same amounts whatever the form of the evidence of such indebtedness.

If the state cannot issue bonds to refund its outstanding indebtedness, then by the same token it could not lawfully incur such indebtedness and cannot lawfully continue to increase that indebtedness year after year as it has been doing.

The general assembly has attempted, in 1916, and again in 1932, by law to recognize the facts as they exist to refund its existing floating indebtedness, and to make a new start by providing for payment of such indebtedness, but in each case has been stopped by the courts, which in effect have declared that the continual increase of the state's indebtedness is all right, so long as it is not formally acknowledged by the issuing of bonds.

The warrant situation as a whole would be ludicrous if it were not so tragic. It is further described in Chapter VI of this report. It is there contended that if the state treasurer were to follow the law he could not pay any claims in cash but would have to devote the entire receipts of the treasury to redeeming outstanding warrants in the order in which they were issued and mark all warrants issued for current obligations as interest bearing.

An interesting argument has been heard at the time of the work of the Efficiency Commission in 1923, and since, that takes the other view that no moneys concurrently on hand in the treasury can lawfully be paid out for the redemption of outstanding warrants of prior years. This argument is based on the idea that the receipts of the current year are completely absorbed by the appropriations of the year, leaving no surplus to be applied to the indebtedness of prior years.

This argument involves an entirely erroneous conception of the purpose and effect of an appropriation and the functions of the treasurer in making disbursements. It regards an appropriation as an act actually setting apart certain actual moneys to the agencies and for the purposes designated by the appropriation. It would regard the amount of an appropriation as a "budget fund" of money set apart and not available for any other use.

In fact, an appropriation cannot properly be regarded in any sense as anything more than an authorization to spend public moneys as they become available in not to exceed the amount provided, for the purpose indicated, on proof of need, and under the procedure provided. The actual money received into the treasury for each fund would represent an unallocated whole available for payment of any obligation duly presented and certified as payable therefrom. According to the best accepted modern view of treasury administration, the treasurer need not, and preferably should not keep any records of appropriations, or know anything about them, but a warrant drawn upon him by the officer responsible for current audit and settlement of claims, the auditor of this state, should be full authority for him to pay the warrant from any money of the fund indicated that may be in his hands.

This is the practical and business-like view that is held in all the jurisdictions that have adopted modern and effective systems of budgeting and financial administration.

But even under the view of the proponents of the argument under discussion, it would not be true that the appropriations of a particular year would allocate all money received during the year to the budget funds they would picture as set up by the appropriations. The state budget act, for example, in Section 1992a-6, K. S., provides for appropriations only from "current revenue." Receipts from back taxes, and other charges of prior years, sales of assets, and other non-revenue receipts, would not be subject to its provisions, and thus would

be available for redemption of warrants of prior years. In the view that appropriations are actual charges on the revenues of the year, the back taxes and other receipts for prior years would already have been charged with the appropriations of the years to which they pertain and hence would already have been set aside for payment of the warrants of such years under appropriations for such years. Of course such an idea as this would lead to useless complexity in the accounting records and would make it practically impossible ever to close out the accounts of a year and render impossible a statement of financial operations for any year. A much better plan is to consider the transactions of a year as closed with the end of the year and to start the new year with all the resources available or to become available during that year, less the current obligations due at the beginning of the year, as the basis of the financial plan or budget of the year.

Cost of Floating Debt Represented by Warrants:

The interest on outstanding indebtedness amounted to $893,423.86 in the fiscal year ended June 30, 1933, of which $708,508 was interest on general revenue fund warrants. But even this large figure does not represent the cost of the interest-bearing warrant practice to the state. The higher prices that the state must pay for all the goods and services that it must buy, as a result of the discount that holders of warrants must accept, accounts for at least $300,000 a year more in cost to the state, or a round total of considerably more than a million dollars a year. These costs are constantly increasing from year to year as the warrants outstanding continue to increase in volume, and as the state's credit continues to be impaired and the discount on its warrants continues to increase. The state pays a part of this discount directly since a few of the agencies of the state government sell their warrants and charge the discount as expense. Even for these few agencies the discount amounted to $37,077.03 in 1932-1933.

Interest on Warrants:

Interest on outstanding warrants is paid semi-annually upon presentation of the warrants. The amounts due are calculated by the auditor of public accounts and interest warrants are issued in payment. The treasurer pays these by check. The only records of these payments maintained by the auditor are the vouchers showing the calculations and the total amount of interest paid by each warrant.

The treasurer keeps a memorandum register of interest-bearing warrants on which each payment of interest is noted by the posting of the number of the interest-paying warrant. Neither the amount of interest nor the period for which it is paid is recorded except by endorsement on the interest-bearing warrant, which is returned to its owner, with the indorsement of the interest date. A large rubber stamp is used for this purpose and many of the indorsements are almost illegible. Some warrants have been outstanding for six years and bear as many as twelve indorsements.

Calculation sheets are attached to each interest-paying warrant voucher which purport to show the number and amount of the interest-bearing warrants on which the payment is made and the number of months of interest paid. The calculation sheets are small slips of paper and are so illegible and so inaccurate as to be wholly undependable as records of the transactions. Furthermore they do not show the periods covered by the interest payments.

The whole procedure for the payment of interest is haphazard and careless.

In order to determine and verify the payments of interest on even a single warrant it is necessary to go to the only record of interest-bearing warrants—that maintained in the treasurer's office—determine from that the amount of the warrant, the date it was marked interest bearing, and the numbers of the interest-paying warrants recorded thereon. These warrants must then be looked up in the auditor's office and be verified there. If, on the other hand, an effort is

made to verify a single interest-paying warrant, the interest calculations must be verified and the amounts of the interest-bearing warrants must be checked against the treasurer's records. This latter is an uncertain task since the warrant numbers recorded on the calculation sheets are so frequently in error that *no complete verification is possible* without reference to the individual interest-bearing warrants in the hands of their individual owners.

In the course of the audit, overpayments of interest in 1932-1933 were noted amounting to $446, of which $323.60 had been refunded. There were likewise many short payments, most of which had been corrected after being called to the attention of the auditor by the holders of the warrants. Numercus under and overpayments amounting to only a few cents each, were also noted, which had not been corrected. The larger overpayments for which no refunds had been received are shown on the statement number 89 of Chapter IX.

Interest payments are sometimes made before they are due. For example, interest was paid to May 24, 1933, on April 7, 1933 (Warrant No. F. 9180), on Warrant No. E. 3256.

Dr. Hill moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, FEBRUARY 28, 1934.

The House was opened with prayer by the Reverend Alexander M. Warren of the First Presbyterian Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

Henry H. Allen
Carroll D. Asbury
Levi Baker
Harold L. Barnes
Marshall Barnes
Robert E. Beatty
B. F. Bedford
Wm. B. Belknap
Reuben J. Boling
O. J. Bowen
Jas. C. Bright
Corbett Brown
Wallace Brown
Frank C. Bruton
Hugh K. Bullitt
Mrs. Cecil Cantrill
Charles Chandler
J. A. Coleman
Sidney J. Collins
D. B. Coughlin
Joel T. Crenshaw
Carroll L. Cropper
G. Cunningham
W. J. Curtis
Harry Davis
R. A. Demunbrun
S. S. Dickson
George Dunlap
Garland Embry
Clarence E. Evans
Rudy Ferguson
T. P. Fitzpatrick
J. B. Floyd
Kelly J. Francis
L. J. Gammon
W. J. Garnett
Ferd A. Guau
C. Gottschalk
J. S. Hall
W. Yancey Handy
Judson Harmon
Frank Harris
R. M. Harrison, Jr.
J. Joseph Hettinger
Dr. A. L. Hill
John R. Hobbs
G. W. Howard
Ira W. Hulette
G. C. Johnson
T. M. Johnson
F. P. Kessee
J. H. King
Leo King
John Kirtley
W. L. Knuckles, Jr.
Glenn W. Lane
Alden L. Love
M. T. McCarthy
George R. McIntosh
Herschel McKinley
C. C. McMasters
Roy McWaters
C. C. May
J. S. Mattingly
G. Samuel Milam
Clarence Miller
H. H. Miller
W. H. Miller
James B. Milliken
Tyler Munford
Rodes K. Myers
Richard H. Nufer
Robert A. Persky
James I. Peters
M. D. Phelps
Steve Pieratt
Kleber F. Price
G. M. Pritchett
Pat Rankin
Waylon Rayburn
W. P. Renfro
L. D. Sandlin
Avery Sartin
Jos. W. Schneider
Mrs. M. B. Scott
Harry Sparks
Lafe J. Spencer
Lyle C. Tackett
John W. Taylor
Elmore J. Thomas
Harry B. Thornton
J. Sterling Towles
Starling B. Tracy
Henry T. Ward
Robert E. Webb
J. B. Wicker
B. M. Williams
W. E. Rogers, Spr.

Mr. Rayburn moved that the reading of the Journal of yesterday's proceedinngs be dispensed with.

Said motion was agreed to.

Mr. Wallace Brown offered the following amendment to the House Rules, Session 1934, viz.:

Amend Rules of the House of Representatives, Session 1934, by striking from Rule 40 all the words and language thereof after the word and figures "Rule 40", and inserting in lieu thereof the following words and language: "When any proposition or bill is ready for amendment, recommitment or debate, as many amendments as the members of the House may desire to offer shall be received and sent to the Clerk's desk and other amendments may be offered until the previous question is ordered on the proposition or bill.

All Committeee amendments shall first be disposed of in order, and all other amendments shall be disposed of in the order each amendment is received. Provided, however, that whenever or wherever blanks are to be filled or the original matter is to be perfected otherwise, the rule above shall yield to general parliamentary law, and provided further, that when a motion or proposition is under consideration, a motion to amend that amendment shall be in order, and it shall so be in order to offer a further amendment by way of substitute, but said substitute shall not be voted on until the original matter is perfected.

All Committee Substitutes shall be printed in like manner as bills and all other substitutes shall be disposed of at the will of the House."

The Speaker ruled that the amendment to the House Rules, as offered by Mr. Brown, was out of order.

From this decision Mr. Wallace Brown filed the following appeal, viz.:

I appeal from the ruling of the Speaker of the House on his ruling that motion is out of order to suspend the rules and amend Rule 40 of House, 1934.

The Speaker vacated the Chair and designated Dr. Hill as Speaker pro tem.

Thereupon the Speaker pro tem. announced "Shall the decision of the Chair stand as the judgment of the House?"

It was decided in the affirmative.

Mr. Munford moved that said appeal be laid on the table.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Wallace Brown and Demumbrun were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ferd A. Gnau	Roy McWaters
Harold L. Barnes	C. Gottschalk	C. C. May
Robert E. Beatty	J. S. Hall	G. Samuel Milam
B. F. Bedford	W. Yancey Handy	Clarence Miller
O. J. Bowen	J. Joseph Hettinger	W. H. Miller
Frank C. Bruton	John R. Hobbs	Tyler Munford
Mrs. Cecil Cantrill	G. W. Howard	Rodes K. Myers
Charles Chandler	Ira W. Hulette	Robert A. Persky
J. A. Coleman	G. C. Johnson	Pat Rankin
Carroll L. Cropper	T. M. Johnson	Waylon Rayburn
G. Cunningham	Leo King	Mrs. M. B. Scott
W. J. Curtis	John Kirtley	Lafe J. Spencer
Rudy Ferguson	Glenn W. Lane	Starling B. Tracy
Kelly J. Francis	Alden L. Love	Henry T. Ward
L. J. Gammon	M. T. McCarthy	Robert E. Webb
W. J. Garnett	C. C. McMasters	—47

Those who voted in the negative were—

Carroll D. Asbury	Wm. B. Belknap	Sidney J. Collins
Levi Baker	Jas. C. Bright	D. B. Coughlin
Marshall Barnes	Wallace Brown	Joel T. Crenshaw

R. A. Demunbrun	H. H. Miller	Harry Sparks
S. S. Dickson	James B. Milliken	John W. Taylor
George Dunlap	James I. Peters	Harry B. Thornton
Clarence E. Evans	Steve Pieratt	J. Sterling Towles
T. P. Fitzpatrick	Kleber F. Price	J. B. Wicker
J. H. King	G. M. Pritchett	B. M. Williams
Herschel McKinley	W. P. Renfro	
J. S. Mattingly	Jos. W. Schneider	—31

Dr. Hill offered the following resolution, viz.:

RESOLUTION A

Resolution Providing for the giving of a return dance to the Assembly Ball Club of Frankfort according to the custom of past years and making the appointment of a dance chairman.

WHEREAS, for many years past it has been the custom and pleasure for the members of the General Assembly to give a return dance to the members of the Assembly Ball Club as an exchange of courtesy therewith, and

Whereas, the dance given at the session of the General Assembly for the year 1932 was one of the most memorable and pleasant ever to have been given, and

Whereas, James "Red" Roberts was the highly efficient Chairman of the 1932 return dance, now therefore,

Be it Resolved by the General Assmbly of the Commonwealth of Kentucky:

That a return dance be given as a courtesy to the members of the Assembly Ball Club on Thursday evening, March 8, 1934, at which there shall be invited all members of the General Assembly; all members in good standing of the Assembly Ball Club and the friends of both, and further that James "Red" Roberts be and he hereby is appointed chairman of said dance with full power and authority to make all

necessary arrangements and to collect from the membership of the General Assembly the proportionate cost to each.

Said Resolution was adopted.

Mr. Rankin offered the following resolution, viz.:

Whereas, Griffienhagen and Associates have stated in their report on State Tax Commission, that "one Commissioner spends only a few minutes a day in his office",

Be it Resolved, That this House respectfully request said member of the Tax Commission spend at least thirty minutes a day in his office.

Said resolution was disagreed to.

Mr. McMasters offered the following resolution, viz.:

H. Res. 64. Concurrent Resolution providing for appointment of a committee to look into desirability of purchasing home of Ollie James as State Park.

Said resolution is as follows, viz.:

Concurrent Resolution of the House of Representatives and the Senate of Kentucky, providing for the appointment of a committee to investigate the desirability of securing the birthplace of Ollie James in Crittenden County, to be used for a State Park.

Whereas, Ollie James is now regarded as one of the nation's ablest statesmen and one of Kentucky's noblest sons; and

Whereas, he was born in Crittenden County, of native Kentucky parents, and the house in which he was born is still standing and in good repair; and

Whereas, the Commonwealth of Kentucky may be able to

secure the said birthplace of Ollie James for posterity by creating there a State park, now

Be it Resolved by the General Assembly of the Commonwealth of Kentucky, That a committee of five persons be appointed by the Governor of the Commonwealth to investigate the desirability and advisability of securing the birthplace of Ollie James for a State park.

Be it Further Resolved, That, after said investigation shall have been completed, the said committee shall make a report to the Governor of the Commonwealth and the State Park Commission.

Said resolution was adopted.

Mr. Bullitt of the Committee heretofore appointed by the Speaker, pursuant to a resolution adopted by this House, offered the following report, viz.:

To the Hon. W. E. Rogers, Sr., Speaker of the House of Representatives, and to the Members:

The Special Committee of the House of Representatives, appointed pursuant to and under a Resolution of the House to investigate suffrage and election and lobbying activities, herewith makes its first report.

The Committee unanimously reports that each and every Department of this Commonwealth has been too zealous in various activities concerning legislation during the entire 1934 Regular Session of the General Assembly, and that various employees and agents of the Departments have continually infringed the Rules of the House and Senate against coming on the floor. It is impossible for your Committee to name any specific persons for these acts, as practically every Department has done the same thing. The Committee feels that it would not being doing its duty unless it called atten-

tion to this condition in its first report, and reprimands the employees of the State for the aforesaid action. The Committee calls attention to the Rules of the House No. 10, and respectfully suggests that the Honorable Speaker enforce the same.

This Committee has no power over the Senate, but it finds that conditions in the Senate are such that it calls the attention of the Honorable Members of the Senate to the corresponding Rule of the Senate. These Rules should be enforced.

The Committee further finds that numerous persons of all kind and from all places, throng the corridors and lobbies of the House and Senate. While the Committee has no power over the Senate, it does now instruct the Sergeant-at-Arms of the House to clear, and keep cleared the corridors in front of the House of Representatives, and the side corridors, so that Members of the House will not be harrassed any further.

The Committee further reports that it is actively functioning and has examined a number of witnesses, and will examine many more, but it has not yet had sufficient time to consider the testimony given, and the Committee will report further to the House from time to time, as provided in the Resolution.

Your Committee respectfully submits this report, and states that it is doing, and will continue to do, its duty, as called for in the said Resolution, to the best of its ability, without favor and without fear.

Committee Report No. 1.
February 28, 1934.

Hugh K. Bullitt, Chairman.

Which was read at length by the Chief Clerk, and ordered to be filed.

Dr. Hill moved that the session of to-day be extended indefinitely.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills were offered, ordered printed and referred as follows, viz.:

By Mr. H. H. Miller:

H. B. 793. An Act relating to the Primary System of Roads and Highways.

By Mr. Demunbrun:

H. B. 794. An Act to amend Section 938d of the Kentucky Statutes, Carroll's 1930 Edition, relating to county libraries.

By same:

H. B. 795. An Act creating and establishing as a part of the primary system of highways a road beginning at the mouth of Bear Creek in Butler County and running to the Bethlehem Church on the Honaker Ferry-Round Hill road.

By Mr. J. H. King:

H. B. 796. An Act to conserve Natural Gas of this Commonwealth; to protect the owners of land adjacent to land on which are located wells producing gas and the owners of land in the vicinity of such producing wells; to prohibit the operation of such producing wells in such manner as to reduce the natural flow of gas from other wells in this State; to prohibit the use of compressors or other artificial means to increase the natural flow of any gas well in this Commonwealth having a rock pressure of five pounds or less at the casing head, and providing a penalty therefor.

By same:

H. B. 797. An Act to amend and re-enact Section 2739g-7, Kentucky Statutes, 1930 Edition.

By. Mr. Gnau:

H. B. 798. An Act to amend Subdivision 1 of Article V of Capter 32 of the Kentucky Statutes by the inclusion therein of a new section, 768-a, to be inserted after Section 768, in Carroll's Kentucky Statutes, Baldwin's Revised Edition, 1930, to extend the powers of railroad companies so as to authorize railroad companies (1) to engage in the business of transporting persons and property as common carriers by motor vehicles on the highways and by aeroplanes in the air, and (2) to purchase or lease the property, rights and franchises of any individual, firm, or corporation engaged in motor vehicle or air transportation, to subscribe to or otherwise acquire the capital stock of any motor carrier or air company and to make any agreement or arrangement, not inconsistent with law, with any individual, firm or corporation engaged in motor vehicles or air transportation.

By Mr. Francis:

H. B. 799. An Act to amend and re-enact Section 4356t-7, Kentucky Statutes, being Capter 180 of the Acts of the General Assembly of the year 1928, relating to the condemnation of rights of way and the manner of paying for same, so that said section when amended and re-enacted shall read as follows.

By Mr. Curtis:

H. B. 800. An Act to appropriate the sum of $25,000 to the State Park Commission for the purpose of erecting build-

ings and making improvements to the Blue Lick Battlefield State Park, and repealing all conflicting laws.

To Committee on Rules.

At the instance of the Committee on Rules the following resolutions were offered, ordered printed and referred as follows, viz.:

By Mr. Lane:

H. Res. 65. Resolution authorizing E. E. Tartor of Hickman County to sue the Commonwealth of Kentucky.

By Mr. Milam:

H. Res. 66. Resolution authorizing Carl Wright, administrator of the estate of Otis Wilson Wright, deceased, to sue the Commonwealth.

To Committee on Rules.

At the instance of the Committee on Rules, the following bills and resolution were reported, viz.:

H. B. 700. An Act recognizing the Oil Well in Cumberland County, Kentucky, commonly known as the American Oil Well, and providing for the erection of a marker at the well.

H. B. 474. An Act to repeal and re-enact Section 1820 Kentucky Statutes, Carroll's 1930 Edition, providing for the establishment of ferries on the Ohio River and other streams, etc.

H. B. 739. An Act to amend and re-enact Chapter 2739j-76 of Carroll's Statutes, Baldwin's Division, Supple-

ment to 1933, which section is a part of Chapter 104 of the 1932 Acts of the General Assembly.

H. B. 690. An Act to amend and re-enact Section 3953a-1 and 3953a-4, Kentucky Statutes, 1930 Edition, relating to Superintendent of Public Printing and the Assistant Superintendent of Public Printing.

H. B. 646. An Act amending and re-enacting Section 3662a-1, 3662a-2 and 3662a-3 of Baldwin's Kentucky Statutes relating to dissolution of charters of towns of the Sixth class.

H. B. 565. An Act to amend and re-enact Sections 6 and 13 of Chapter 160 of the Acts of the General Assembly for the year 1932, being Section 3235g-12 and 3235g-19, Kentucky Statutes, Baldwin's Kentucky Statute Service, etc.

H. B. 601. An Act providing for the payment of ad valorem taxes of Fourth class cities in two equal installments.

H. Res. 54. A Resolution authorizing the administrator of Winfred Hoover to sue the Commonwealth of Kentucky and the Game and Fish Commission.

H. Res. 52. Resolution for the benefit of the city of Stanford.

With the expression of opinion that said bills and resolutions ought to pass.

Said bills and resolutions were read at length the first time and ordered to be placed on the Calendar.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 299. An Act prohibiting associations, companies, persons and corporations engaged in the services of utilities, as herein defined, from collecting service charges, etc.

With a Committee amendment thereto.

H. B. 260. An Act to repeal, amend and re-enact Chapter 145 of the Acts of the General Assembly of 1932, redistricting the State of Kentucky into nine Congressional Districts, etc.

H. B. 378. An Act providing for the payment of ad valorem property taxes in four equal installments, due as follows, etc.

H. B. 535. An Act to amend and re-enact Sections 4883 and 4884 of the Kentucky Statutes as compiled in Carroll's 1930 Edition thereof, etc.

H. B. 467. An Act to regulate the practice of professional engineering and land surveying, creating a State Board of Registration for Professional Engineers and Land Surveyors, etc.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

At the instance of the Committee on Rules, the House took up for consideration a bill entitled:

H. B. 173. An Act relating to the Primary System of Roads and Highways.

Which was reported to this House by the Senate on February 20.

With an amendment thereto as offered by the Senate.

(For bill see House Journal of February 2.)

Said amendment as offered by the Senate to said bill, is as follows, viz.:

Amend H. B. 173 in Senate by taking from the printed bill, paragraph 1, line 4 "running from Wofford east up Brown's Creek down Maple Creek to intersect with the Williamsburg-Pineville Road near Fred Kerr's" and insert in lieu thereof the following "Running from Woodbine southeast down Corn Creek to Rockhold Tyes Ferry Road near Craig's Chapel."

Said amendment was then concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wallace Brown	S. S. Dickson
Carroll D. Asbury	Frank C. Bruton	George Dunlap
Levi Baker	Mrs. Cecil Cantrill	Garland Embry
Harold L. Barnes	J. A. Coleman	Clarence E. Evans
Marshall Barnes	Sidney J. Collins	J. B. Floyd
Robert E. Beatty	D. B. Coughlin	Kelly J. Francis
Reuben J. Boling	Joel T. Crenshaw	Ferd A. Gnau
O. J. Bowen	G. Cunningham	C. Gottschalk
Jas. C. Bright	Harry Davis	J. S. Hall
Corbett Brown	R. A. Demunbrun	W. Yancey Handy

Judson Harmon	George R. McIntosh	G. M. Pritchett
Frank Harris	Roy McWaters	Pat Rankin
R. M. Harrison, Jr.	C. C. May	Waylon Rayburn
J. Joseph Hettinger	J. S. Mattingly	W. P. Renfro
Dr. A. L. Hill	G. Samuel Milam	L. D. Sandlin
John R. Hobbs	Clarence Miller	Avery Sartin
G. W. Howard	H. H. Miller	Jos. W. Schneider
Ira W. Hulette	W. H. Miller	Mrs. M. B. Scott
G. C. Johnson	James B. Milliken	Harry Sparks
J. H. King	Rodes K. Myers	Lafe J. Spencer
Leo King	Richard H. Nufer	Elmore J. Thomas
John Kirtley	Robert A. Persky	Harry B. Thornton
W. L. Knuckles, Jr.	James I. Peters	J. Sterling Towles
Glenn W. Lane	M. D. Phelps	Starling B. Tracy
Alden L. Love	Steve Pieratt	Robert E. Webb
M. T. McCarthy	Kleber F. Price	J. B. Wicker

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Dr. Hill moved that the vote by which said bill was passed as amended be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

Dr. Hill moved that the Rules be suspended and that the House do now proceed to the consideration of the Orders of the Day.

Said motion was agreed to.

Thereupon the House took up for consideration from the Orders of the Day a bill entitled:

H. B. 358. An Act to amend and re-enact Section

4042a-13, Kentucky Statutes, Carroll's 1930 Edition, being Chapter 11, page 31, Section 6, of the Acts of 1918, so as to change the date of assessment of property for taxation from July 1st to April 1st in each year.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4042A-13, Carroll's 1930 Edition Kentucky Statutes, being Chapter 11, page 31, Section 6, of the Acts of 1918, be amended and re-enacted so as to read as follows:

The value fixed and the amount of property assessed by each taxpayer shall be the value and amount fixed as of the first day of April in each year.

Mr. Beatty offered the following amendment to said bill, viz.:

Amend H. B. 358 by striking the word April and substituting the word May.

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Cnstitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. Yancey Handy	G. Samuel Milam
Robert E. Beatty	J. Joseph Hettinger	Clarence Miller
Jas. C. Bright	Dr. A. L. Hill	H. H. Miller
Corbett Brown	John R. Hobbs	W. H. Miller
Hugh K. Bullitt	G. W. Howard	Rodes K. Myers
Mrs. Cecil Cantrill	T. M. Johnson	Waylon Rayburn
Charles Chandler	F. P. Kessee	Mrs. M. B. Scott
Carroll L. Cropper	Leo King	Harry Sparks
W. J. Curtis	John Kirtley	Lafe J. Spencer
Rudy Ferguson	W. L. Knuckles, Jr.	Starling B. Tracy
W. J. Garnett	Glenn W. Lane	
C. Gottschalk	C. C. May	—34

Those who voted in the negative were—

Carroll D. Asbury	Clarence E. Evans	Richard H. Nufer
Levi Baker	T. P. Fitzpatrick	Robert A. Persky
Harold L. Barnes	J. B. Floyd	James I. Peters
Marshall Barnes	Kelly J. Francis	M. D. Phelps
B. F. Bedford	J. S. Hall	Steve Pieratt
Wm. B. Belknap	Judson Harmon	Kleber F. Price
Reuben J. Boling	Frank Harris	C. M. Pritchett
O. J. Bowen	R. M. Harrison, Jr.	Pat Rankin
Wallace Brown	Ira W. Hulette	L. D. Sandlin
Frank C. Bruton	G. C. Johnson	Avery Sartin
J. A. Coleman	J. H. King	Jos. W. Schneider
Sidney J. Collins	Alden L. Love	Lyle C. Tackett
D. B. Coughlin	M. T. McCarthy	John W. Taylor
Joel T. Crenshaw	George R. McIntosh	Elmore J. Thomas
Harry Davis	Herschel McKinley	Harry B. Thornton
S. S. Dickson	C. C. McMasters	Robert E. Webb
George Dunlap	Roy McWaters	J. B. Wicker
Garland Embry	J. S. Mattingly	B. M. Williams
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The hour of twelve o'clock Meridian, having arrived, Dr. Hill moved that the House do now recess until one-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of one-thirty o'clock P. M. having arrived the Speaker resumed the Chair and called the House to Order.

Mr. Chandler moved that the privilege of the floor be extended to Mr. Albert Hiatt.

Said motion was agreed to.

Mr. Bowen offered the following resolution, viz.:

House Resolution C

Whereas, under the law a penalty for failure to pay State and County taxes will attach on Thursday, March 1, 1934, unless the Governor extends the time for the payment of such taxes; and

Whereas, many of the tobacco markets in Kentucky have been closed until recently; and

Whereas, many farmers have not had an opportunity to put their tobacco on the market; and

Whereas, the price of cattle, hogs, corn and other farm products has been so low that many farmers have been holding cattle, hogs, corn and other farm products in the hope that the market for their products would improve; and

Whereas, within the last two or three weeks the price of such products has improved; and

Whereas, the extension of time for payment of taxes until the first day of April, 1934, by the Governor of the Commonwealth of Kentucky will greatly aid and assist the farmers and other taxpayers of the Commonwealth and save them the payment of the penalty on such taxes; now, therefore,

Be it Resolved by the House of Representatives of the General Assembly of the Commonwealth of Kentucky:

That the Honorable Ruby Laffoon, Governor of the Commonwealth of Kentucky, be and he hereby is requested to extend the time for the payment of taxes until April 1, 1934.

That the Chief Clerk of the House is requested to deliver this resolution to the Governor immediately upon its passage.

Said resolution was adopted.

Mr. Love of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills and resolutions of the following titles, viz.:

S. Res. 44. Resolution relating to the Adjusted Compensation Act for World War Veterans.

S. B. 40. An Act to provide for probate of sentences of first offenders.

S. B. 101. An Act to amend law relating to Railway Policemen.

S. B. 15. An Act to regulate the time for holding court in the 35th Judicial District.

S. B. 151. An Act to repeal the law creating State Supervisor of Chiropractors.

H. Res. 12. Resolution authorizing Luther Cooper as next friend of Estel Cooper to sue the Commonwealth.

H. B. 131. An Act to authoize cities of the Second class to establish and maintain colleges by levying taxes for school purposes.

Thereupon all other business was suspended, said bills and resolutions were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that bills and resolutions which originated in the Senate be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of this House deliver said bills and resolutions which originated in this House to the Senate.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 657. An Act to appropriate two hundred and fifty thousand dollars ($250,000) to obtain lands, caves, cave rights, and other real and personal property and estates and interests therein in the Mammoth Cave National Park Area and to grant to the Department of the Interior and the United States Government the power and right of eminent domain.

Said bill is as follows, viz:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby appropriated from the State Treasury out of funds not otherwise appropriated the sum of two hundred and fifty thousand dollars ($250,000) to be used by the Department of the Interior and the United States Government for the purpose of obtaining lands, caves, cave rights and other real and personal property and estates and interests therein in the Mammoth Cave National Park area in the Commonwealth of Kentucky.

§ 2. That it shall be the duty of the Auditor of Public

Accounts of the Commonwealth of Kentucky to draw his warrant upon the Treasurer for said sum or any part thereof upon the requisition of the director of the office of National Parks, buildings and reservations; and when done it shall be the duty of the State Treasurer of the Commonwealth of Kentucky to pay said warrant or warrants out of said appropriation. However, said appropriation is made with the understanding that the United States Government will establish and maintain a national park within the Mammoth Cave National Park area.

§ 3. The Department of the Interior and the United States Government are hereby vested with the power of eminent domain to condemn for the purpose of such National Park land, caves, cave rights and other real and personal property or estates or interests therein within such area as may have been or may be designated by the United States for the site of the Mammoth Cave National Park and shall proceed under the laws of the United State Government concerning the condemnation of lands.

§ 4. All laws or parts of laws in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Marshall Barnes	Reuben J. Boling
Carroll D. Asbury	Robert E. Beatty	Jas. C. Bright
Levi Baker	B. F. Bedford	Corbett Brown
Harold L. Barnes	Wm. B. Belknap	Wallace Brown

Frank C. Bruton	R. M. Harrison, Jr.	Rodes K. Myers
Hugh K. Bullitt	J. Joseph Hettinger	Richard H. Nufer
Mrs. Cecil Cantrill	Dr. A. L. Hill	Robert A. Persky
Charles Chandler	John R. Hobbs	James I. Peters
J. A. Coleman	G. W. Howard	M. D. Phelps
Sidney J. Collins	Ira W. Hulette	Steve Pieratt
D. B. Coughlin	G. C. Johnson	Kleber F. Price
Joel T. Crenshaw	T. M. Johnson	G. M. Pritchett
Carroll L. Cropper	F. P. Kessee	Pat Rankin
G. Cunningham	J. H. King	Waylon Rayburn
W. J. Curtis	Leo King	W. P. Renfro
Harry Davis	John Kirtley	L. D. Sandlin
R. A. Demunbrun	W. L. Knuckles, Jr.	Avery Sartin
S. S. Dickson	Alden L. Love	Mrs. M. B. Scott
Garland Embry	M. T. McCarthy	Harry Sparks
Clarence E. Evans	George R. McIntosh	Lyle C. Tackett
Rudy Ferguson	Herschel McKinley	John W. Taylor
J. B. Floyd	C. C. McMasters	Elmore J. Thomas
Kelly J. Francis	Roy McWaters	Harry B. Thornton
L. J. Gammon	C. C. May	J. Sterling Towles
W. J. Garnett	J. S. Mattingly	Starling B. Tracy
Ferd A. Gnau	G. Samuel Milam	Henry T. Ward
C. Gottschalk	Clarence Miller	Robert E. Webb
J. S. Hall	H. H. Miller	J. B. Wicker
W. Yancey Handy	W. H. Miller	B. M. Williams
Judson Harmon	James B. Milliken	
Frank Harris	Tyler Munford	—91

Resolved that the title thereof be as aforesaid.

Mr. Handy moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 671. An Act to amend and re-enact Section 1893d-5 Supplement to Kentucky Statutes, 1930 Edition, relating to non-resident fishing licenses.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1893d-5, Supplement to Kentucky Statutes, 1930 Edition, be amended and re-enacted so that when said section is amended and re-enacted it shall read as follows:

Any non-resident or agent in this state, regardless of age or sex, or who has not been a resident of this state for one year, may procure a license for fishing by filing his or her affidavit with the county court clerk of any county in this state, stating his or her age, place of residence, post office address, height, color of eyes and hair, and the fact whether he or she can write their name, and by paying to said county clerk the sum of two dollars and fifty cents ($2.50), which license shall entitle him or her to fish in all counties of this state after receiving the permission of the owner or agent of any waters in which he or she may wish to fish. The county court clerk shall retain of the money received from such non-resident license the sum of fifty cents (50c) to cover the swearing of the applicant to the affidavit referred to in this act, and all other services in relation to the issual of non-resident licenses as above provided.

Any non-resident or alien in this state, regardless of age or sex, except all persons under the age of sixteen years, or who has not been a resident of this state for one year, may procure a seven-day license for fishing by filing his or her affidavit with the county clerk of any county in this state, stating his or her age, place of residence, post office address, height, color of eyes and hair, and the fact whether he or she can write their name, and by paying to said county clerk the

sum of one dollar ($1.00), which license shall entitle him or her to fish for a seven-day period in all counties of this state after receiving the permission of the owner or agent of any waters in which he or she may wish to fish. The county court clerk shall retain of the money received for such non-resident seven-day licenses the sum of twenty-five cents (25c) to cover the swearing of the applicant to the affidavit referred to herein and all other services in connection with the issual of the seven-day license.

In each of the seven-day licenses herein mentioned issued by the county clerk, he shall state the date such licenses shall begin and the date they shall end. It shall be the duty of the county clerk, after deducting his fees herein provided, to pay the balance to the State Treasurer on the first of each month, which amount shall be converted into the Game and Fish Protection Fund, and said county clerk shall report to the State Game and Fish Commission on the first day of each month the number of licenses issued and the amount of money remitted to the State Treasurer.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

Mr. Kirtley offered the following amendment to said bill, viz.:

Amend H. B. 671 as follows, on line 2, page 1: That for pole and line fishermen residing in the State a holiday is declared to exist of 365 days and that they shall be exempt from buying license during this vacation.

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Kelly J. Francis	Clarence Miller
Carroll D. Asbury	L. J. Gammon	H. H. Miller
Levi Baker	W. J. Garnett	Tyler Munford
Marshall Barnes	Ferd A. Gnau	Rodes K. Myers
Robert E. Beatty	J. S. Hall	Richard H. Nufer
B. F. Bedford	R. M. Harrison, Jr.	Robert A. Persky
Reuben J. Boling	J. Joseph Hettinger	M. D. Phelps
O. J. Bowen	Dr. A. L. Hill	Steve Pieratt
Jas. C. Bright	John R. Hobbs	G. M. Pritchett
Corbett Brown	Ira W. Hulette	Waylon Rayburn
Wallace Brown	G. C. Johnson	W. P. Renfro
Hugh K. Bullitt	T. M. Johnson	L. D. Sandlin
Charles Chandler	F. P. Kessee	Avery Sartin
J. A. Coleman	J. H. King	Harry Sparks
Joel T. Crenshaw	Leo King	Lyle C. Tackett
Carroll L. Cropper	W. L. Knuckles, Jr.	Elmore J. Thomas
W. J. Curtis	Glenn W. Lane	Harry B. Thornton
G. Cunningham	M. T. McCarthy	J. Sterling Towles
Harry Davis	George R. McIntosh	Starling B. Tracy
R. A. Demunbrun	Herschel McKinley	Robert E. Webb
George Dunlap	C. C. McMasters	J. B. Wicker
Clarence E. Evans	C. C. May	B. M. Williams
Rudy Ferguson	J. S. Mattingly	
J. B. Floyd	G. Samuel Milam	—70

Those who voted in the negative were—

Harold L. Barnes	S. S. Dickson	Alden L. Love
Frank C. Bruton	Garland Embry	Pat Rankin
Mrs. Cecil Cantrill	Judson Harmon	Mrs. M. B. Scott
D. B. Coughlin	Frank Harris	Henry T. Ward

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Resolved that the title thereof be as aforesaid.

Mr. Towles moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 142. An Act to amend and re-enact Section 1938a-6, Supplement to Kentucky Statutes, 1930 Edition, relating to wild turkey, imported pheasant or Hungarian partridge.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1938a-6, Supplement to Kentucky Statutes, 1930 Edition, be amended and re-enacted, and when amended and re-enacted, shall read as follows:

No person shall catch, kill or pursue with such intent, or have the same in his possession after it has been caught or killed, any wild turkey, before the 23rd day of November, 1936 and on and after November 23, 1936, the open season for wild turkey shall be from November 23rd to November 30th, both days inclusive, and no person shall on any other day, hunt, catch, kill pursue or have in possession, dead or alive, any wild turkey, and no person shall kill more than one male turkey during the open season in any one year; and that it shall be unlawful to kill hen turkeys at any time; and no person shall catch or kill, or pursue with such intent, or have the same in his possession after it has been caught or killed, any imported pheasant or Hungarian partridge before the 23rd day of November, 1936, and on and after November 23, 1936, no person shall kill more than two pheasants or Hungarian

partridges in any one day when it is lawful to kill them. It shall be lawful to kill imported pheasants from November 23rd to November 30th, both days inclusive, and on these days only each year, provided that cock birds only may be killed, and that not more than two may be killed in any one day.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Carroll L. Cropper	Frank Harris
Carroll D. Asbury	G. Cunningham	R. M. Harrison, Jr.
Levi Baker	W. J. Curtis	J. Joseph Hettinger
Marshall Barnes	Harry Davis	Dr. A. L. Hill
Robert E. Beatty	R. A. Demunbrun	John R. Hobbs
B. F. Bedford	S. S. Dickson	Ira W. Hulette
O. J. Bowen	Garland Embry	G. C. Johnson
Jas. C. Bright	Clarence E. Evans	T. M. Johnson
Corbett Brown	Rudy Ferguson	F. P. Kessee
Wallace Brown	T. P. Fitzpatrick	J. H. King
Frank C. Bruton	J. B. Floyd	Leo King
Hugh K. Bullitt	Kelly J. Francis	John Kirtley
Mrs. Cecil Cantrill	W. J. Garnett	W. L. Knuckles, Jr.
Charles Chandler	Ferd A. Gnau	Glenn W. Lane
J. A. Coleman	C. Gottschalk	Alden L. Love
Sidney J. Collins	J. S. Hall	M. T. McCarthy
D. B. Coughlin	W. Yancey Handy	George R. McIntosh
Joel T. Crenshaw	Judson Harmon	C. C. McMasters

C. C. May	Robert A. Persky	Avery Sartin
J. S. Mattingly	James I. Peters	Jos. W. Schneider
G. Samuel Milam	M. D. Phelps	Mrs. M. B. Scott
Clarence Miller	Steve Pieratt	Harry Sparks
H. H. Miller	Kleber F. Price	John W. Taylor
W. H. Miller	G. M. Pritchett	Elmore J. Thomas
James B. Milliken	Pat Rankin	J. Sterling Towles
Tyler Munford	Waylon Rayburn	Starling B. Tracy
Rodes K. Myers	W. P. Renfro	Robert E. Webb
Richard H. Nufer	L. D. Sandlin	J. B. Wicker

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There voted in the negative—

Harold L. Barnes —1

Resolved that the title thereof be as aforesaid.

Mr. Allen moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Bullitt moved that the Speaker appoint a Committee of three members of the House to act as an escort committee to wait upon The Hon. Shackleford Miller, who will address the General Assembly at four o'clock P. M.

Said motion was agreed to.

Thereupon the Speaker appointed Messrs. Bullitt, Hettinger and Gnau as members constituting said Committee.

A message was received from the Senate announcing that they had passed bills which originated in this House entitled:

H. B. 329. An Act for the benefit of the State Tubercu-

losis Sanatorium, and authorizing the State Board of Health to hold the title of certain real estate and sell and convey the same and to borrow money and mortgage said real estate, etc.

H. B. 8. An Act to repeal, amend Section 564, subsection 2, Kentucky Statutes, Carroll's Edition, 1915, relating to corporation, and to re-enact said Section as amended.

Ordered that said bills be delivered to the Enrolling Clerk of this House.

And that they had passed resolutions and bills which originated in that body, entitled:

S. Res. 36. Resolution providing for the purchase of copies of the Legislative Digest.

S. Res. 50. Resolution providing for the giving of a return dance to the Assembly Ball Club of Frankfort according to the custom of past years.

S. B. 36. An Act to amend and re-enact Sections 1159 and 1159a, Carroll's Kentucky Statutes, prescribing punishment for robbery or burglary, etc.

S. B. 131. An Act to repeal Section 1077b-1 of the Kentucky Statutes, Carroll's Edition, 1930, relating to the appointment of Trial Commissioners, etc.

S. B. 183. An Act providing educational opportunities for the orphans of soldiers, sailors and marines who were killed in action or died during the World War.

S. B. 178. An Act to amend, revise and re-enact Chapter 116 of the Acts of the General Assembly of 1930, now Section

1761-1 Carroll's Kentucky Statutes, relating to salaries of Commissioner, etc.

Ordered that said bills and resolutions be printed and referred to Committee on Rules.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 451. An Act requiring every person other than an employed chauffeur to have a driver's license to operate a motor vehicle, the qualifications of such driver, the fee therefor, the application for said license and providing the penalty for the violation of said act, for the forfeiture of said license, and for the distribution of the funds received therefrom.

With Committee Amendments thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Every person other than an employed chauffeur before operating a motor vehicle in this Commonwealth shall have a driver's license which shall be renewed annually on or before the first day of January of each year.

§ 2. Before a person obtains a driver's license, he or she shall fill out an application blank, and thereon shall state in substance age, race, residence, physical deformities, whether or not the applicant has been convicted of operating a motor vehicle while intoxicated, or whether or not he has been convicted of reckless operation of a motor vehicle, and no person shall be granted a driver's license in this Commonwealth without first making said application, which application shall be made on a blank form hereinafter provided for; nor shall a person receive a driver's license who

is totally blind or totally deaf, or who is so physically deformed or mentally deficient as to prevent the exercise of full and complete control of said motor vehicle, and who shall not be sixteen (16) years of age at the time of making said application.

§ 3. Employed chauffeurs are exempted from the provisions of this act as chauffeurs' licenses are provided for under laws heretofore passed.

§ 4. Application for drivers' license shall be made upon a blank furnished by the State Tax Commission through the County Court Clerk in the county in which the applicant resides, and said blank shall reveal the information set forth above relative thereto, and the applicant shall accompany such application by an annual fee of one dollar ($1.00) for each year, or each fractional part thereof.

§ 5. The State Tax Commission shall administer this act and enforce the provisions thereof, and the County Court Clerks of the respective counties of this Commonwealth shall receive said applications and the fees therefor, and issue the receipts provided for in this act, and report and remit on the first Monday in each calendar month to the State Tax Commission on moneys collected during the previous month, together with the duplicates of the receipts issued by him during the same period, and make all checks payable to the State Treasurer; and the Clerk of each county in connection with the State Tax Commission of this Commonwealth shall see that the provisions of this act are enforced. Upon the failure of any Clerk to so report and remit as herein provided for more than ten (10) days after the same is due, he shall be required to pay the penalty of ten per cent (10%) of the amount due, in addition thereto. All penalties due and collected under this provision shall be paid into the State Treasury as a part of the revenue collected under the provisions of this law, and the Clerk is hereby authorized to add to the cost of said license the sum of ten cents (10c) for making out said application and issuing said receipts, and for the performance of the other

duty provided for in this act, making the total cost of said driver's license one dollar and ten cents ($1.10).

§ 6. All moneys derived by reason of the provisions of this act shall be forwarded by the County Court Clerks of the respective counties to the State Tax Commission, as herein provided, and by the State Tax Commission deposited with the Treasurer of the State of Kentucky in the General Fund. The State Tax Commission shall in turn, once each year, and prior to the first day of May of each year, pay to each of the respective counties of the Commonwealth of Kentucky one/one hundred and twentieth (1/120) of fifty per cent (50%) of the net funds derived by reason of the provisions of this act; and said funds so received by the respective counties shall be deposited in the sinking fund of said county for the purpose of retiring the bonded indebtedness of said county; and, if there be no indebtedness, then said fund shall be appropriated by the Fiscal Court for the use of said county in the construction and maintenance of intra-county roads not on the primary system of the State of Kentucky. The other fifty per cent (50%) of the net funds received by reason of the provisions of this act shall be taken by the Treasurer of the Commonwealth of Kentucky from the General Fund and credited to the funds of the State Highway Commission for the purpose of construction and maintenance of highways within this Commonwealth.

The State Tax Commission shall order paid by the Treasurer of Kentucky from the moneys so received all expenses incident to the printing and preparation of all forms provided for herein and other expenses incident to the enforcement of this act; but the same shall not exceed five per cent (5%) of the aggregate funds collected under the provisions hereof.

§ 7. The State Tax Commission shall furnish the application blanks, the receipts to be issued by the Clerk, in triplicate copies, which receipts shall be numbered consecutively for each county, the copies bearing the same number as the original, and the colors of all three copies shall be

different, and the combination of colors shall not be the same for the consecutive years. The said State Tax Commission shall furnish said supplies not later than November 15th of the year preceding the year for which the license shall be issued.

§ 8. The Clerk shall make requisition for the supplies to be used in the execution of the provisions of this act not later than the first day of November of the year preceding the year for which the license shall be issued, and the Clerk shall keep a driver's license register in the office of the County Court Clerk wherein shall be registered the name, address, age and race, and the number of said license.

§ 9. Any person convicted of driving a motor vehicle while intoxicated shall forfeit said driver's license, and shall not drive a motor vehicle for the period of twelve months, as heretofore provided in provisions of law heretofore passed.

§ 10. Any persn operating said motor vehicle without a driver's license, or any person operating a motor vehicle whose driver's license has been forfeited shall be deemed guilty of a misdemeanor and shall be fined not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00), and the cost of the prosecution, or confined in the county jail for not less than five (5) days nor more than twenty (20) days, or he may be both so fined and imprisoned.

§ 11. The County Court Clerks of the respective counties shall pass upon the application for the driver's license and his decision thereon shall be binding, unless it be appealed therefrom to the County Court, and said appeal may be prosecuted either by the applicant therefor or the county attorney, upon giving five days written notice to be served in the same manner provided by law for the service of process to the party to whom the decision of the clerk is favorable.

§ 12. Whereas the eighteenth amendment to the constitution of the United States has been repealed, and whereas there is great need for immediate control of the drivers of motor vehicles, and whereas the finances of the State High-

way Department have been depleted by other measures, and whereas the counties of Kentucky are defaulting in interest payments of the bonded indebtedness, therefore an emergency is hereby declared to exist and this bill shall become a law and effective immediately upon its passage and upon approval by the Governor.

Amendment No. 1 as offered by the Committee is as follows, viz.:

Amend H. B. 451 by striking after the enacting clause of the printed bill, each and every section, provision, paragraph, clause and word, and inserting in lieu thereof the following:

§ 1. Every person other than an employed licensed chauffeur before operating any motor vehicle on the highways of this Commonwealth shall procure a driver's license for which he shall pay a fee of $1.00 for each year or fractional part thereof; said license shall be obtained within thirty (30) days after the effective date of this Act and annually thereafter on or before the first day of January of each year.

§ 2. Before any applicant shall be issued a license he shall fill out in duplicate an application blank, under oath, stating his age, race, residence, height, weight, color of eyes and hair, physical deformities if any, and whether or not the applicant has been convicted of violating any other motor vehicle law.

No person shall be issued a driver's license who is under fourteen years of age, who does not have good eyesight and good hearing, who is insane, an imbecile, epileptic, or feeble minded, who is an habitual drunkard, who is addicted to the use of narcotic drugs, who does not have the free use of both hands and both feet, or whose physical or mental condition, disability, or disease will prevent such person exercising reasonable and ordinary control over a motor vehicle, while

operating same over streets, thoroughfares or highways; provided, however, that if an applicant has sustained the loss of one hand or foot, but the county clerk is satisfied from examination that such person is thoroughly competent to operate a motor vehicle with safety to persons and property, said clerk may in his sound discretion issue a license to such applicant. The County Clerk shall pass upon the application for a driver's license and his decision thereon shall be final unless appealed from. An appeal may be prosecuted by the applicant or County Attorney to the County Court, by serving notice on the County Clerk. The County Clerk for performing the duties required of him by this act shall receive ten per cent of the amount collected.

§ 3. The State Tax Commission Shall prepare and furnish to the county court clerks of each county in this Commonwealth all necessary forms and blanks for carrying the provisions of this Act into effect. Said forms and blanks shall be delivered to said county clerks twenty (20) days after the effective date of this Act, and on or before the 1st day of December annually thereafter.

§ 4. Application for driver's license shall be made to the county court clerk of the county where the applicant resides, who shall take said application, with the fee therefor, and issue the license which shall be in the form of a substantial card of convenient size, with the full name and address of the licensee filled in and signed by said clerk and countersigned by the licensee in the presence of said clerk. Said card shall be carried by the licensee at all times while operating any motor vehicle, and shall submit the same when requested by any sheriff, constable, policeman or traffic officer and to any person with whom or with whose car licensee has had an accident.

§ 5. The county court clerks shall report all moneys collected under this Act by check payable to the State Treasurer through the Auditor of Public Accounts on the first Monday of each calendar month. Copy of said report, together with

carbon copy of application made by each licensee shall be filed with the State Tax Commission. Upon the failure of any clerk to make such report and remit all moneys as herein provided, for more than ten (10) days after same is due, he shall be required to pay a penalty of 10% of the amount due.

§ 6. Non-resident operators of motor vehicles who have complied with the drivers license law of the state of his or her residence shall be exempt from the provision of this law for the same length of time that is granted to non-residents of their state. Non-resident drivers from such states as do not have a driver's license, or as do not grant reciprocity, shall be exempt for a period of not more than ten days.

§ 7. It shall be unlawful for any person, firm or corporation owning, using or having custody or control of any motor vehicle to permit same to be operated on the public highway of this Commonwealth who has not theretofore procured and has in his or her possession a proper license card.

§ 8. All revenues derived from the operation of this Act shall be covered through the Auditor of Public Accounts into the State Treasury and credited ot the "drivers license fund." The State Treasurer, on proper certification from the Auditor of Public Accounts, shall semi-annually on the first Monday in September and the first Monday in March of each year distribute to each county of this Commonwealth one one-hundreth and twentieth (1/120) part of all money secured to the credit of said driver's license fund on each of said dates, said money shall be distributed to the counties by checks payable to the County Treasurer, and shall be credited to the sinking fund and used for retiring the road and bridge bonded, or floating indebtedness of said county. If there be no road and bridge indebtedness then said money shall be used in the construction and maintenance of roads in said county under the provision of the State Highway Commission.

§ 9. The county court clerk shall file said application and index the same in a book furnished for that purpose giving the name and address of the licensee, the date the said

license is issued, and also show if said license has been revoked or suspended.

§ 10. All sheriffs, constables, policemen, agents, or inspectors of the State Tax Commission and traffic officers are charged with the enforcement of the provisions of this act, and quarterly courts and the judges thereof, justices of the peace, and police force shall have concurrent jurisdiction with the Circuit Court in the trial of all offenses committed in their respective jurisdictions under the provisions of this Act.

§ 11. Any person, firm or corporation violating any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be fined not less than five dollars ($5.00) and not more than $200.00. In addition to the above penalty, any license issued hereunder may be revoked completely or suspended for any period of time not exceeding twelve months in the discretion of the Court before whom any licensee is convicted for violating the provisions of any motor vehicle law. The Court or clerk thereof before whom any person is convicted shall within five days deliver a copy of any judgment entered by the court to the County Court Clerk.

§ 12. If any section, clause, paragraph or provision of this act is held unconstitutional it shall not affect the remainder of the act.

§ 13. Whereas the eighteenth amendment of the Constitution of the United States has been repealed, and there is great need for immediate control of the drivers of motor vehicles and whereas the finances of the State Highway Department have been depleted by other measures, and whereas the counties of Kentucky are defaulting in interest payments of the bonded indebtedness, therefore an emergency is hereby declared to exist and this bill shall become a law and effective immediately upon its passage and approval by the Governor.

Amendment No. 2 as offered by the Committee is as follows, viz.:

Amend the title to H. B. 451 by striking from the printed bill the title thereof and inserting in lieu thereof the following:

An Act requiring every person other than an employed licensed chauffeur to have a driver's license to operate a motor vehicle; providing the qualifications of such driver; the fee therefor; the application for said license; providing certain duties of the county clerks of the respective counties of the Commonwealth; and fixing the fees therefor; providing the penalty for the violation of said act, and for forfeiture of said license; providing that sheriffs, constables, policemen and agents of the State Tax Commission and traffic officers shall enforce the provisions of this Act; conferring on Quarterly Courts and the judges thereof, police courts and justices of the peace concurrent jurisdiction with the circuit court in the trial of all offenses under this Act; and providing for the distribution of the revenue collected, and how expended, and declaring an emergency to exist.

Amendment No. 1 as offered by the Commiteee then was agreed to.

Mr. Nufer moved that said bill be laid on the Clerk's desk.

Said motion was disagreed to.

Mr. Milam moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	L. J. Gammon	G. Samuel Milam
Carroll D. Asbury	W. J. Garnett	Clarence Miller
Harold L. Barnes	Ferd A. Gnau	H. H. Miller
Robert E. Beatty	C. Gottschalk	W. H. Miller
B. F. Bedford	J. S. Hall	Tyler Munford
Wm. B. Belknap	W. Yancey Handy	Rodes K. Myers
Reuben J. Boling	Judson Harmon	James I. Peters
Jas. C. Bright	Dr. A. L. Hill	M. D. Phelps
Corbett Brown	G. W. Howard	Pat Rankin
Frank C. Bruton	G. C. Johnson	Waylon Rayburn
Mrs. Cecil Cantrill	F. P. Kessee	Avery Sartin
Charles Chandler	Leo King	Mrs. M. B. Scott
Carroll L. Cropper	W. L. Knuckles, Jr.	J. Sterling Towles
G. Cunningham	Alden L. Love	Henry T. Ward
W. J. Curtis	M. T. McCarthy	J. B. Wicker
R. A. Demunbrun	George R. McIntosh	B. M. Williams
George Dunlap	Herschel McKinley	
Kelly J. Francis	C. C. McMasters	—52

Those who voted in the negative were—

Levi Baker	Joel T. Crenshaw	Frank Harris
Marshall Barnes	Harry Davis	R. M. Harrison, Jr.
O. J. Bowen	S. S. Dickson	John R. Hobbs
Wallace Brown	Garland Embry	Ira W. Hulette
Hugh K. Bullitt	Clarence E. Evans	T. M. Johnson
J. A. Coleman	Rudy Ferguson	J. H. King
Sidney J. Collins	T. P. Fitzpatrick	Glenn W. Lane
D. B. Coughlin	J. B. Floyd	Roy McWaters

C. C. May	Steve Pieratt	Lyle C. Tackett
J. S. Mattingly	Kleber F. Price	John W. Taylor
James B. Milliken	W. P. Renfro	Elmore J. Thomas
Richard H. Nufer	Jos. W. Schneider	Starling B. Tracy
Robert A. Persky	Harry Sparks	Robert E. Webb

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Amendment No. 2, to the title, as offered by the Committee was then agreed to.

Resolved that the title thereof be as amended.

Mr. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The hour of four o'clock P. M. having arrived, that being the hour for the Joint Session of the House and Senate for the purpose of hearing an address by The Hon. Shackleford Miller,

The Senate of Kentucky, in order, entered upon the floor of the chamber of the House of Representatives and The Hon. Albert B. Chandler, Lieutenant Governor and President of the Senate, took the Chair and presided and The Hon. W. E. Rogers, Speaker of the House of Representatives, having taken his seat on the right of the President of the Senate, the two Houses were convened in Joint session.

It was ordered that the roll call of the Joint Session be dispensed with.

The Lieutenant Governor and Presiding Officer of the Joint Session appointed Senators Regan, Wise, Meyer, Van Hoose and Lloyd on the part of the Senate and Messrs. Bullitt, Hettinger and Gnau on the part of the House, as an

escort Committee to wait upon and escort The Hon. Shackleford Miller to the floor.

After a time the aforesaid Committee accompanied by the Hon. Shackleford Miller, appeared upon the floor of the chamber of the House, where The Hon. Shacklfeord Miller took his place at the Clerk's desk and addressed the General Assembly.

Senator Thompson moved that this Joint Session do now dissolve.

Said motion was agreed to.

The Speaker resumed the Chair and called the House to order.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 222. An Act to repeal Section 2380-7 of Carroll's Kentucky Statutes, 1930 Edition, and re-enact in lieu thereof the following, which relates to ditches and drains and the appointment of a drainage Commission under the Laws of the State of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 2380-7 of the Kentucky Statutes, Carroll's Edition be repealed and that the following new matter be enacted in lieu thereof.

In all Counties of this State where a public ditch, drain, levee or other improvement of similar character shall have been established under the pre-existing laws and/or, may here-

after be established under this act, it shall be the duty of the County Judge to call an election in each separate drainage district, which election shall be held on some day selected by the County Judge and at the County Seat and on some day in April of each year. At this election the taxpayers of each separate drainage district shall elect a director to represent said Drainage District on the Board herein created.

The County Judge shall preside at the election of each of said Drainage Districts, which shall be by *viva voce* vote of each member present at the hour designated by said County Judge on the said day. The Drainage Districts of the County shall be numbered by the said County Judge upon the passage of this act and the various elections shall be held in the courthouse and the election shall take place in the numerical order of the District. If any District is not represented at said election, it shall be the duty of the County Judge to appoint a director representing said District, who must be a taxpayer of said District and these elections shall be held annually in the month of April upon the call of the County Judge. He shall fill all vacancies during any year by appointment. The election called shall be made at least ten days before the election by posting notice at the courthouse door and by publishing same in one issue of some newspaper of general circulation. The various directors from the various districts of the County shall constitute the Board of Drainage Commissioners of the Counties wherein they are elected, with the right to acquire, hold, encumber, sell and convey such real estate and personal property as shall be necessary to the conduct of its affairs as such drainage commission, to sue and be sued, contract and be contracted with, and shall possess such other powers and rights as shall pertain to corporations, or as may be necessary for carrying on its work under the provisions of this act, including the right of Eminent Domain; it shall have and use a corporate seal and shall change same at its pleasure. On the first Monday in May, after the election of these directors, representing the various drainage districts in the County, they

shall meet at the County Seat, elect a President from one of their number and appoint a secretary, who need not be a director, and if no secretary is appointed, the County Clerk of the County shall act as such and be *ex officio* secretary thereof. The President and Directors shall receive no compensation for their services and shall meet at such time or times as the President may call them to meet, and the President shall call a meeting when the request is made by two or more directors which request shall be in writing. The Board shall elect a treasurer, who shall execute bond as the board directs and they may pay said treasurer such salary as they deem proper. Said commission shall have an office at the County Seat of the County which shall be provided with such furniture, stationery and records as may be necessary.

The Board shall keep or cause to be kept complete records of its proceedings, which records shall be public and at all times open to the inspection of the public. The Board of Drainage Commissioners may employ a superintendent of drainage if they deem such necessary, and for such time as they deem necessary, and pay to him such salary as they deem proper.

It shall be the duty of the Board of Drainage Commissioners on or before April 1st of each year to make a complete report of its acts and doings during the previous year, showing the amount of money received and from what source, and the amounts paid out and for what purposes, which report shall be spread upon its records and open for public inspection. All expenses incurred under this act to be borne by the Board of Drianage Commissioners out of drainage funds and not from any general funds of the County.

This Board provided for herein shall have all the authority and perform all the duties enjoined upon the Board of Commissioners by the act of which this is an amendment, and this act is in lieu of Section 2380-7 of the Kentucky Statutes and to be re-numbered by the same number and title.

Whereas, the time is fast approaching when assessments

may be made for the maintenance of drainage projects in Kentucky and this Board is necessary to more justly represent the people, therefore, it is declared that an emergency exists and this act shall take effect immediately upon its passage and approval by the Governor.

Mr. Munford offered the following amendments to said bill, viz.:

1. Amend S. B. 222 in House by inserting the following paragraph after the paragraph ending with the words "number and title" on page 3, line 68, of the printed bill:

"Provided, however, that in counties having seventy-five or more drainage districts with a total construction cost of $1,000,000.00 or more, where a public ditch, drain, levee or other pre-existing laws or may hereafter be established under this act, it shall be the duty of the county judge to appoint a drainage commissioner of the county who shall have charge and control of all such public ditches, drains, levees and similar improvements in such county, except as otherwise provided. The person so appointed shall hold office for the term of four years or until his successor is appointed and qualified, shall execute bond for the faithful performance of his duties, in the penal sum of five thousand dollars ($5,000.00) and shall be sworn to faithfully perform the duties of his position to the best of his ability. Vacancy in said position shall be filled by the county judge. Immediately upon his appointment and qualification he shall become and is hereby created a body corporate under the name and style of "drainage commissioner of ..... county, Kentucky" (the blank to be filled with the name of the county), with the right to acquire, hold, encumber, sell and convey such real estate and personal property as shall be necessary to the conduct of his affairs as such drainage commissioner, to sue and be sued, contract and be contracted with, and shall possess such other powers and rights as usually pertain to corporations, or as may be neces-

sary for carrying on his work under the provisions of this act; he shall have and use a corporate seal and may change same at pleasure. He shall appoint a secretary and fix his compensation, and if no such secretary is appointed, the county clerk of the county shall act as such and be *ex officio* secretary thereof. The treasurer of the county shall be *ex officio* treasurer of said commission. And where there is no treasurer, in any county, then said commissoiner shall appoint a treasurer, who shall execute bond in such sum as the commissioner may require. Said commissioner shall have an office at the county seat of his county and shall provide said secretary with desk, stationery and record books as required, and said commissioner shall on certain days to be designated by him attend his said office for the purpose of transacting such business as may come under his jurisdiction. He shall keep or cause to be kept complete records of his proceedings, which records shall be public records, and at all times open to the inspection of the public. Said commissioner shall be paid as full compensation for his services not exceeding the sum of five dollars ($5.00) per day, while actually engaged in the performance of his duties, to be fixed by the order of the county court at the time of his appointment, as well as all traveling expenses incurred in the performance of his duties under this act, to be paid out of the drainage funds herein provided for.

The commissioner provided for herein shall have all the authority and perform all the duties enjoined upon the board of commissioners by the act which is an amendment.

2. Amend Senate Bill No. 222 in House by inserting on page 1 in line three of the printed bill after the word "state" the following words: "except as hereniafter provided."

Said amendments were each agreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	T. P. Fitzpatrick	G. Samuel Milam
Carroll D. Asbury	J. B. Floyd	Clarence Miller
Levi Baker	W. J. Garnett	H. H. Miller
Harold L. Barnes	Ferd A. Gnau	W. H. Miller
Marshall Barnes	C. Gottschalk	James B. Milliken
Robert E. Beatty	J. S. Hall	Tyler Munford
B. F. Bedford	Judson Harmon	James I. Peters
Wm. B. Belknap	Frank Harris	M. D. Phelps
Reuben J. Boling	R. M. Harrison, Jr.	Steve Pieratt
O. J. Bowen	Dr. A. L. Hill	Kleber F. Price
Jas. C. Bright	John R. Hobbs	Pat Rankin
Corbett Brown	G. W. Howard	Waylon Rayburn
Wallace Brown	Ira W. Hulette	W. P. Renfro
Frank C. Bruton	G. C. Johnson	L. D. Sandlin
Charles Chandler	F. P. Kessee	Avery Sartin
J. A. Coleman	J. H. King	Jos. W. Schneider
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Carroll L. Cropper	John Kirtley	Lyle C. Tackett
G. Cunningham	W. L. Knuckles, Jr.	John W. Taylor
W. J. Curtis	Glenn W. Lane	Elmore J. Thomas
Harry Davis	Alden L. Love	Starling B. Tracy
R. A. Demunbrun	M. T. McCarthy	Henry T. Ward
S. S. Dickson	Herschel McKinley	Robert E. Webb
George Dunlap	C. C. McMasters	J. B. Wicker
Garland Embry	Roy McWaters	B. M. Williams
Clarence E. Evans	C. C. May	
Rudy Ferguson	J. S. Mattingly	—79

Resolved that the title thereof be as aforesaid.

Mr. Munford moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 602. An Act making it a felony for any person or persons to dynamite fish in any stream, lake or pond within this Commonwealth and fixing the punishment therefor.

With a Committee amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That any person or persons who shall willfully and knowingly dynamite fish in any stream, lake or pond within this Commonwealth shall be guilty of a felony, and upon conviction therefor shall be confined in the State Reformatory not less than one year nor more than five years.

All laws in conflict herewith are hereby repealed.

Said amendment as offered by the Commitee is as follows, viz.:

Amend H. B. 602 by striking out in line 4 of the printed bill the words "not less than one year nor more than five years" and inserting in lieu thereof the words "one year."

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Carroll D. Asbury	W. J. Garnett	J. S. Mattingly
Harold L. Barnes	Ferd A. Gnau	Clarence Miller
Marshall Barnes	C. Gottschalk	H. H. Miller
Wm. B. Belknap	J. S. Hall	W. H. Miller
Reuben J. Boling	Judson Harmon	James B. Milliken
O. J. Bowen	Frank Harris	Tyler Munford
Corbett Brown	R. M. Harrison, Jr.	Rodes K. Myers
Wallace Brown	J. Joseph Hettinger	James I. Peters
Hugh K. Bullitt	Dr. A. L. Hill	M. D. Phelps
Charles Chandler	John R. Hobbs	Steve Pieratt
J. A. Coleman	Ira W. Hulette	Pat Rankin
Sidney J. Collins	G. C. Johnson	Waylon Rayburn
D. B. Coughlin	J. H. King	W. P. Renfro
Carroll L. Cropper	Leo King	L. D. Sandlin
G. Cunningham	John Kirtley	Avery Sartin
Harry Davis	W. L. Knuckles, Jr.	Mrs. M. B. Scott
R. A. Demunbrun	Glenn W. Lane	Lyle C. Tackett
S. S. Dickson	Alden L. Love	Elmore J. Thomas
George Dunlap	M. T. McCarthy	Starling B. Tracy
Garland Embry	Herschel McKinley	Henry T. Ward
Clarence E. Evans	C. C. McMasters	Robert E. Webb
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
L. J. Gammon	C. G. May	

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Those who voted in the negative were—

Frank C. Bruton	John W. Taylor	J. B. Wicker

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Resolved that the title thereof be as aforesaid.

Mr. Sandlin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 662. An Act to regulate the manufacture, possession, sale, exchange, prescribing, dispensing, distributing, compounding, the issuance of prescriptions for and the giving away of opium and coca leaves and derivatives and salts of opium and coca leaves; and, to provide for the issuing of licenses to manufacturers and wholesalers in opium and coca leaves and derivatives of opium and coca leaves; and, to provide for the suspension or revocation of any license or registration of any person convicted under the provisions of this act; and, defining what shall be common nuisances under the provisions of this act; and, to provide penalties for the violation of any of the provisions of this act; and to repeal all acts or parts of acts which are inconsistent with any of the provisions of this act.

With a Committee amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. (Definitions.) The following words and phrases, as used in this act, shall have the following meanings, unless the context otherwise requires:

(1) "Person" includes any corporation, association, copartnership, or one or more individuals.

(2) "Physician" means a person authorized by law to

practice medicine in this state and any other person authorized by law to treat sick and injured human beings in this state and to use narcotic drugs in connection with such treatment.

(3) "Dentist" means a person authorized by law to practice dentistry in this state.

(4) "Veterinarian" means a person authorized by law to practice veterinary medicine in this state.

(5) "Manufacture" means a person who by compounding, mixing, cultivating, growing, or other process, produces or prepares narcotic drugs, but does not include an apothecary who compounds narcotic drugs to be sold or dispensed on prescriptions.

(6) "Wholesaler" means a person who supplies narcotic drugs that he himself has not produced nor prepared, on official written orders, but not on prescriptions.

(7) "Apothecary" means a licensed pharmacist as defined by the laws of this state and, where the context so requires, the owner of a store or other place of business where narcotic drugs are compounded or dispensed by a licensed pharmacist; but nothing in this act shall be construed as conferring on a person who is not registered nor licensed as a pharmacist any authority, right, or privilege, that is not granted to him by the pharmacy laws of this state.

(8) "Hospital" means an institution for the care and treatment of the sick and injured, approved by the State Board of Health as proper to be entrusted with the custody of narcotic drugs and the professional use of narcotic drugs under the direction of a physician, dentist, or veterinarian.

(9) "Laboratory" means a laboratory approved by the State Board of Health as proper to be entrusted with the custody of narcotic drugs and the use of narcotic drugs for scientific and medical purposes and for purposes of instruction.

(10) "Sale" includes barter, exchange, or gift, or offer

therefor, and each such transaction made by any person, whether as principal, proprietor, agent, servant, or employee.

(11) "Coca leaves" includes cocaine and any compound manufacture, salt, derivative, mixture, or preparation of coca leaves, except derivatives of coca leaves which do not contain cocaine, ecgonine, or substances from which cocaine or ecgonine may be synthesized or made.

(12) "Opium" includes morphine, codeine, and heroin, and any compound, manufacture, salt, derivative, mixture, or preparation of opium, but does not include apomorphine or any of its salts.

(13) "Narcotic drugs" means coca leaves and opium of every substance neither chemically nor physically distinguishable from them.

(14) "Federal Narcotic Laws" means the laws of the United States relating to opium, coca leaves, and other narcotic drugs.

(15)"Official written order" means an order written on a form provided for that purpose by the United States Commissioner of Narcotics, under any laws of the United States making provision therefor, if such order forms are authorized and required by federal law, and if no such order form is provided, then on an official form provided for that purpose by the State Board of Health.

(16) "Dispense" includes distribute, leave with, give away, dispose of, or deliver.

(17) "Registry number" means the number assigned to each person registered under the Federal Narcotic Laws.

§ 2. (Act Prohibited.) It shall be unlawful for any person to manufacture, possess, have under his control, sell, prescribe, administer, dispense, or compound any narcotic drug, except as authorized in this act.

§ 3. (Manufacturers and Wholesalers.) No person shall manufacture, compound, mix, cultivate, grow, or by any other process produce, or prepare narcotic drugs, and no per-

son as a wholesaler shall supply the same, without having first obtained a license so to do from the State Board of Health.

§ 4. (Qualification for Licenses.) No license shall be issued under the foregoing section unless and until the applicant therefor has furnished proof satisfactory to the State Board of Health.

(a) That the applicant is of good moral character or, if the applicant be an association or corporation, that the managing offices are of good moral character.

(b) That the applicant is equipped as to land, buildings, and paraphernalia properly to carry on the business described in his application.

No license shall be granted to any person who has within five years been convicted of a willful violation of any law of the United States or of any state, relating to opium, coca leaves, or other narcotic drugs, or to any person who is a narcotic drug addict.

The State Board of Health may suspend or revoke any license for cause.

§ 5. (Sale on Written Orders.)

(1) A duly licensed manfacturer or wholesaler may sell and dispense narcotic drugs to any of the following persons, but only on official written orders:

(a) To a manufacturer, wholesaler, or apothecary.

(b) To a physician, dentist, or veterinarian.

(c) To a person in charge of a hospital, but only for use by or in that hospital.

(d) To a person in charge of a laboratory, but only for use in that laboratory for scientific and medical purposes.

(2) A duly licensed manufacturer or wholesaler may sell narcotic drugs to any of the following persons:

(a) On a special written order accompanied by a certificate of exemption, as required by the Federal Narcotic Laws, to a person in the employ of the United States Government or of any state, territorial district, county, municipal, or in-

sular government, purchasing, receiving, possessing, or dispensing narcotic drugs by reason of his official duties.

(b) To a master of a ship or a person in charge of any aircraft upon which no physician is regularly employed, for the actual medical needs of persons on board such ship or aircraft, when not in port. Provided: such narcotic drugs shall be sold to the master of such ship or person in charge of such aircraft only in pursuance of a special order form approved by a commissioned medical officer or acting assistant surgeon of the United States Public Health Service.

(c) To a person in foreign country if the provisions of the Federal Narcotic Laws are complied with.

(3) (Use of Official Written Orders.) An official written order for any narcotic drug shall be signed in duplicate by the person giving said order or by his duly authorized agent. The original shall be presented to the person who sells or dispenses the narcotic drug or drugs named therein. In event of the acceptance of such order by said person, each party to the transaction shall preserve his copy of such order for a period of two years in such a way as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this act. It shall be deemed a compliance with this subsection if the parties to the transaction have complied with the Federal Narcotic Laws, respecting the requirements governing the use of order forms.

(4) (Possession Lawful.) Possession of or control of narcotic drugs obtained as authorized by this section shall be lawful if in the regular course of business, occupation, profession, employment, or duty of the possessor.

(5) A person in charge of a hospital or of a laboratory, or in the employ of this state or of any other state, or of any political subdivision thereof, and a master or other proper officer of a ship or aircraft, who obtains narcotic drugs under the provisions of this section or otherwise, shall not administer, nor dispense, nor otherwise use such drugs, within this

state, except within the scope of his employment or official duty, and then only for scientific or medicinal purposes and subject to the provisions of this act.

§ 6. (Sales by Apothecaries.)

(1) An apothecary, in good faith, may sell and dispense narcotic drugs to any person upon a written prescription of a physician, dentist, or veterinarian, dated and signed by the person prescribing on the day when issued and bearing the full name and address of the patient for whom, or of the owner of the animal for which the drug is dispensed, and the full name, address, and registry number under the Federal Narcotic Laws of the person prescribing, if he is required by those laws to be so registered. If the prescription be for an animal it shall state the species of animal for which the drug is prescribed. The person filling the prescription shall write the date of filling and his own signature on the face of the prescription. The prescription shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of two years, so as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this act. The prescription shall not be refilled.

(2) The legal owner of any stock of narcotic drugs in a pharmacy, upon discontinuance of dealing in said drugs, may sell said stock to a manufacturer, wholesaler, or apothecary, but only on an official written order.

(3) An apothecary, only upon an official written order, may sell to a physician, dentist, or veterinarian, in quantities not exceeding one ounce at any one time, aqueous or oleaginous solutions of which the content of narcotic drugs does not exceed a proportion greater than twenty per cent of the complete solution, to be used for medical purposes.

§ 7. (Professional use of Narcotic Drugs.)

(1) (Physicians and Dentists.) A physician or a dentist, in good faith and in the course of his professional practice only, may prescribe, administer, and dispense narcotic drugs,

or he may cause the same to be administered by a nurse or interne under his direction and supervision.

(2) (Veterinarians.) A veterinarian, in good faith and in the course of his professional practice only, and not for use by a human being, may prescribe, administer, and dispense narcotic drugs, and he may cause them to be administered by an assistant or orderly under his direction and supervision.

(3) (Return of Unused Drugs.) Any person who has obtained from a physician, dentist, or veterinarian any narcotic drug for administration to a patient during the absence of such physicians, dentist, or veterinarian, shall return to such physician, dentist, or veterinarian any unused portion of such drug, when it is no longer required by the patient.

§ 8. (Preparations Exempted.) Except as otherwise in this act specifically provided, this act shall not apply to the following cases:

(1) Prescribing, administering, dispensing, or selling at retail of any medicinal preparation that contains in one fluid ounce, or if a solid or semi-solid preparation, in one avoirdupois ounce, (a) not more than two grains of opium, (b) not more than one-quarter of a grain of morphine or of any of its salts, (c) not more than one grain of codeine or any of its salts, (d) not more than one-eighth of a grain of heroin or any of its salts, (e) and not more than one of the drugs named above in clauses (a), (b), (c), and (d).

(2) Prescribing, administering, dispensing, or selling at retail of liniments, ointments, and other preparations, that are susceptible of external use only and that contain narcotic drugs in such combinations as prevent their being readily extracted from such liniments, ointments or preparations, except that this act shall apply to all liniments, ointments, and other preparations, that contain coca leaves in any quantity or combination.

The exemptions authorized by this section shall be subject to the following conditions:

(a) No person shall prescribe, administer, dispense, or sell under the exemptions of this section, to any one person, or for the use of any one person or animal, any preparation or preparations included within this section, when he knows, or can by reasonable diligence ascertain, that such prescribing, administering, dispensing, or selling will provide the person to whom or for whose use, or the owner of the animal for the use of which, such preparation is prescribed, administered, dispensed, or sold, within any forty-eight consecutive hours, with more than four grains of opium, or more than one-half grain of morphine or of any of its salts, or more than one-quarter of a grain of heroin or of any of its salts, or will provide such person or the owner of such animal within 48 consecutive hours, with more than one preparation exempted by this section from the operation of this act.

(b) The medicinal preparation, or the liniment, ointment, or other preparation susceptible of external use only, prescribed, administered, dispensed, or sold, shall contain, in addition to the narcotic drug in it, some drug or drugs conferring upon it medicinal qualities other than those possessed by the narcotic drug alone. Such preparation shall be prescribed, administered, dispensed, and sold in good faith as a medicine, and not for the purpose of evading the provisions of this act.

Nothing in this section shall be construed to limit the kind and quantity of any narcotic drug that may be prescribed, administered, dispensed, or sold, to any person or for the use of any person or animal when it is prescribed, administered, dispensed or sold, in compliance with the general provisions of this act.

§ 9. (Record to be Kept.)

(1) (Physicians, Dentists, Veterinarians, and Other Authorized Persons.) Every physician, dentist, veterinarian, or other person who is authorized to administer or professionally use narcotic drugs, shall keep a record of such drugs

received by him, and a record of all such drugs, administered, dispensed, or professionally used by him otherwise than by prescription. It shall, however, be deemed a sufficient compliance with this subsection if any such peerson using small quantities of solutions or other preparations of such drugs for local application, shall keep a record of the quantity, character, and potency of such solutions or other preparations purchased or made up by him, and of the dates when purchased or made up, without keeping a record of the amount of such solution or other preparation applied by him to individual patients.

Provided: That no record need be kept of narcotic drugs administered, dispensed, or professionally used in the treatment of any one patient, when the amount administered, dispensed, or professionally used for that purpose does not exceed in any forty-eight consecutive hours, (a) four grains of opium, or (b) one-half of a grain of morphine or any of its salts, or (c) two grains of codeine or any of its salts, or (d) one-fourth of a grain of heroin or any of its salts, or (e) a quantity of any other narcotic drug or any combination of narcotic drugs that does not exceed in pharmacologic potency any one of the drugs named above in the quantity stated.

(2) (Manufacturers and Wholesalers.) Manufacturers and wholesalers shall keep records of all narcotic drugs compounded, mixed, cultivated, grown, or by any other process produced or prepared, and of all narcotic drugs received and disposed of by them, in accordance with the provisions of subsection 5 of this section.

(3) (Apothecaries.) Apothecaries shall keep records of all narcotic drugs received and disposed of by them, in accordance with the provisions of subsection 5 of this section.

(4) (Vendors of Exempted Preparations.) Every person who purchases for resale or who sells narcotic drug preparations exempted by Sectoin 8 of this act, shall keep a record showing the quantities and kinds thereof received and sold, or disposed of otherwise, in accordance with the provisions of subsection 5 of this section.

(5) (Form and Preservation of Records.) The form of records shall be prescribed by the State Board of Health. The record of narcotic drugs received shall in every case show the date of receipt, the name and address of the person from whom received, and the kind and quantity of drugs received; the kind and quantity of narcotic drugs produced or removed from process of manufacture, and the date of such production or removal from process of manufacture; and the record shall in every case show the proportion of morphine, cocaine, or ecgonine contained in or producible from crude opium or coca leaves received or produced. The record of all narcotic drugs sold, administered, dispensed, or otherwise disposed of, shall show the date of selling, administering, or dispensing, the name and address of the person to whom, or for whose use, or the owner and species of animal for which the drugs were sold, administered, or dispensed, and the kind and quantity of drugs. Every such record shall be kept for a period of two years from the date of the transaction recorded. The keeping of a record required by or under the Federal Narcotic Laws, containing substantially the same information as is specified above, shall constitute compliance with this section, except that every such record shall contain a detailed list of narcotic drugs lost, destroyed, or stolen, if any, the kind and quantity of such drugs, and the date of the discovery of such loss, destruction, or theft.

§ 10. (Labels.)

(1) Whenever a manufacturer sells or dispenses a narcotic drug, and whenever a wholesaler sells or dispenses a narcotic drug in a package prepared by him, he shall securely affix to each package in which that drug is contained a label showing in legible English the name and address of the vendor and the quantity, kind, and form of narcotic drug contained therein. No person, except an apothecary for the purpose of filling a prescription under this act, shall alter, deface, or remove any label so affixed.

(2) Whenever an apothecary sells or dispenses any nar-

cotic drug on a prescription issued by a physician, dentist, or veterinarian, he shall affix to the container in which such drug is sold or dispensed, a label showing his own name, address, and registry number, or the name, address, and registry number of the apothecary for whom he is lawfully acting; the name and address of the patient or, if the patient is an animal, the name and address of the owner of the animal and the species of the animal; the name, address, and registry number of the physician, dentist, or veterinarian, by whom the prescription was written; and such directions as may be stated on the prescription. No person shall alter, deface, or remove any label so affixed.

§ 11. (Authorized Possession of Narcotic Drugs by Individuals.) A person to whom or for whose use any narcotic drug has been prescribed, sold, or dispensed, by a physician, dentist, apothecary, or other person authorized under the provisions of Section 5 of this act, and the owner of any animal for which any such drug has been prescribed, sold, or dispensed, by a veterinarian, may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing the same.

§ 12. (Persons and Corporations Exempted.) The provisions of this act restricting the possession and having control of narcotic drugs shall not apply to common carriers or to warehousemen, while engaged in lawfully transporting or storing such drugs, or to any employee of the same acting within the scope of his employment; or to public officers or their employees in the performance of their official duties requiring possession or control of narcotic drugs; or to temporary incidental possession by employees or agents of persons lawfully entitled to possession, or by persons whose posession is for the purpose of aiding public officers in performing their official duties.

§ 13. (Common Nuisances.) Any store, shop, warehouse, dwelling house, building, vehicle, boat, aircraft, or any place whatever, which is resorted to by narcotic drug addicts

for the purpose of using narcotic drugs or which is used for the illegal keeping or selling of the same, shall be deemed a common nuisance. No person shall keep or maintain such a common nuisance.

§ 14. (Narcotic Drugs to be delivered to State Officials, Etc.) All narcotic drugs, the lawful possession of which is not established or the title to which cannot be ascertained, which have come into the custody of a peace officer, shall be forfeited, and disposed of as follows:

(a) Except as in this section otherwise provided, the court or magistrate having jurisdiction shall order such narcotic drugs forfeited and destroyed. A record of the place where said drugs were seized, of the kinds and quantities of drugs so destroyed, and of the time, place, and manner of destruction, shall be kept, and a return under oath, reporting said destruction, shall be made to the court or magistrate and to the United States Commissioner of Narcotics, by the officer who destroys them.

(b) Upon written application by the State Board of Health, the court or magistrate by whom the forfeiture of narcotic drugs has been decreed may order the delivery of any of them, except heroin and its salts nad derivatives, to said State Board of Health for distribution or destruction, as hereinafter provided.

(c) Upon application by any hospital within this State not operated for private gain, the State Board of Health may in their discretion deliver any narcotic drugs that have come into their custody by authority of this section to the applicant for medicinal use. The State Board of Health may from time to time deliver excess stocks of such narcotic drugs to the United States Commissioner of Narcotics, or may destroy the same.

(d) The State Board of Health shall keep a full and complete record of all drugs received and of all drugs disposed of, showing the exact kinds, quantities, and forms of such drugs; the persons from whom received and to whom deliv-

ered; by whose authority received, delivered, and destroyed; and the dates of the receipt, disposal or destruction, which record shall be open to inspection by all Federal or State officers charged with the enforcement of Federal and State narcotic laws.

§ 15. (Notice of Conviction to be Sent to Licensing Board.) On the conviction of any person of the violation of any provision of this act a copy of the judgment and sentence, and of the opinion of the court or magistrate, if any opinion be filed, shall be sent by the clerk of the court, or by the magistrate, to the board or officer, if any, by whom the convicted defendant has been licensed or registered to practice his profession or to carry on his business. On the conviction of any such person, the court may, in its discretion, suspend or revoke the license or registration of the convicted defendant to practice his profession or to carry on his business. On the application of any person whose license or registration has been suspended or revoked, and upon proper showing and for good cause, said board or officer may reinstate such license or registration.

§ 16. (Records, Confidential.) Prescriptions, orders, and records, required by this act, and stocks of narcotic drugs, shall be open for inspection only to federal, state, county, and municipal officers, whose duty it is to enforce the laws of this state or of the United States relating to narcotic drugs. No officer having knowledge by virture of his office of any such prescription, order, or record shall divulge such knowledge, except in connection with a prosecution or proceeding in court or before a licensing or registration board or officer, to which prosecution or proceeding the person to whom such prescription, orders, or records relate is a party.

§ 17. (Fraud or Deceit.)

(1) No person shall obtain or attempt to obtain a narcotic drug, or procure or attempt to procure the administration of a narcotic drug, (a) by fraud, deceit, misrepresentation, or subterfuge; or (b) by the forgery or alteration of a

prescription or of any written order; or (c) by the concealment of a material fact; or (d) by the use of a false name or the giving of a false address.

(2) Information communicated to a physician in an effort unlawfully to procure a narcotic drug, or unlawfully to procure the administration of any such drug, shall not be deemed a privileged communication.

(3) No person shall willfully make a false statement in any prescription, order, report, or record, required by this act.

(4) No person shall, for the purpose of obtaining a narcotic drug, falsely assume the title of, or represent himself to be a manufacturer, wholesaler, apothecary, physician, dentist, veterinarian, or other authorized person.

(5) No person shall make or utter any false or forged prescription or false or forged written order.

(6) No person shall affix any false or forged label to a package or receptacle containing narcotic drugs.

(7) The provisions of this section shall apply to all transactions relating to narcotic drugs under the provisions of Section 8 of this act, in the same way as they apply to transactions under all other sections.

§ 18. (Exceptions and Exemptions Not Required to be Negatived.) In any complaint, information, or indictment, and in any action or proceeding brought for the enforcement of any provision of this act, it shall not be necessary to negative any exception, excuse, proviso, or exception, contained in this act, and the burden of proof of any such exception, excuse, proviso, or exemption, shall be upon the defendant.

§ 19. (Enforcement and Cooperation.) It is hereby made the duty of the State Board of Health, its officers, agents, inspectors, and representatives, and of all peace officers within the state, and of all county attorneys, to enforce all provisions of this act, except those specifically delegated, and to cooperate with all agencies charged with the enforcement of the laws of the United States, of this state, and of all other states, relating to narcotic drugs.

§ 20. The Sate Board of Health shall make all needful rules and regulations for carrying the provisions of this Act into effect.

§ 21. (Penalties.) Any person violating any provision of this act shall upon conviction be punished, for the first offense, by a fine of not exceeding ..... dollars, or by imprisonment in (jail) for not exceeding ..... or by both such fine and imprisonment and for any subsequent offense, by a fine not exceeding ..... dollars, or by imprisonment in ..... for not exceeding ..... or by both such fine and imprisonment.

§ 22. (Effect of Acquittal or Conviction under Federal Narcotic Laws.) No person shall be prosecuted for a violation of any provision of this act if such person has been acquitted or convicted under the Federal Narcotic Laws of the same act or omission which, it is alleged, constitutes a violation of this act.

§ 23. (Constitutionality.) If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not effect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

§ 24. (Interpretation.) This act shall be so interpreted and construed as to effectuate its general purpose, to make uniform the laws of those states which enact it.

§ 25. (Inconsistent Laws Repealed.) All acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed.

§ 26. (Name of Act.) This act may be cited as the Uniform Narcotic Drug Act.

§ 27. (Time of Taking Effect.) This act shall take effect.....

Said amendment as offered by the Committee is as follows, viz.:

Amend H. B. 662 by striking out clause (a) of paragraph (2) of Section 8, on page 2, of the printed bill.

Said amendment was agreed to.

Mr. Gnau offered the following amendments to said bill, viz.:

Amend H. B. 662 by striking therefrom in the printed copy of the bill on page 16, Section 27.

Amend H. B. 662 by striking therefrom in the printed copy of the bill, Section 21 on page 15, and inserting in lieu thereof Section 21 to read as follows:

"Sec. 21. Penalties.) Any person violating any provisions of this act shall upon conviction be punished for the first offense, by a fine not exceeding one thousand dollars ($1,000.00) or by imprisonment for not exceeding three (3) years, or both such fine and imprisonment, and for any subsequent offense, by a fine not exceeding five thousand dollars ($5,000.00) or by imprisonment in the penitentiary for not exceeding ten (10) years or by both such fine and imprisonment."

Said amendments were each agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

of the school property of the State of Kentucky; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That for the purpose of providing buildings for elementary and/or high school purposes, boards of education or boards of trustees of school districts embracing cities of the first, second, third, fourth, fifth or sixth class, are hereby authorized and empowered to convey a fee simple title with covenant of general warranty of title, to a site for any such building now held or hereafter acquired by such boards of education or boards of trustees, to such cities.

§ 2. Every such city to which a building site for a building has been conveyed, as provided in section one hereof, shall enter into a contract or contracts with some person or persons, corporation or corporations, for the erection on said site of a building with the necessary appurtenances, according to plans and specifications adopted by such city and approved by such board and the Superintendent of Public Instruction.

§ 3. Immediately upon the approval of the plans and specifications as provided in section two hereof such board of education or board of trustees shall offer to lease such building for a term of one or more years from the time such building shall be completed and ready for occupancy, which term shall be for a number of years acceptable to such city. The said lease by its terms shall give such lessee the right and option to extend the term of such lease for a term of one or more years from the expiration of the original term of such lease and for one or more years from the expiration of each extended term of such lease until the original term of such lease shall have been extended for a total number of years, not exceeding thirty years, at a rental which, if paid for the original term and for each of the full number of years for which the term of said lease may be extended, will amortize the total cost of the erection of said building and appurte-

Amend H. B. 662 by striking out clause (a) of paragraph (2) of Section 8, on page 2, of the printed bill.

Said amendment was agreed to.

Mr. Gnau offered the following amendments to said bill, viz.:

Amend H. B. 662 by striking therefrom in the printed copy of the bill on page 16, Section 27.

Amend H. B. 662 by striking therefrom in the printed copy of the bill, Section 21 on page 15, and inserting in lieu thereof Section 21 to read as follows:

"Sec. 21. Penalties.) Any person violating any provisions of this act shall upon conviction be punished for the first offense, by a fine not exceeding one thousand dollars ($1,000.00) or by imprisonment for not exceeding three (3) years, or both such fine and imprisonment, and for any subsequent offense, by a fine not exceeding five thousand dollars ($5,000.00) or by imprisonment in the penitentiary for not exceeding ten (10) years or by both such fine and imprisonment."

Said amendments were each agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

of the school property of the State of Kentucky; now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That for the purpose of providing buildings for elementary and/or high school purposes, boards of education or boards of trustees of school districts embracing cities of the first, second, third, fourth, fifth or sixth class, are hereby authorized and empowered to convey a fee simple title with covenant of general warranty of title, to a site for any such building now held or hereafter acquired by such boards of education or boards of trustees, to such cities.

§ 2. Every such city to which a building site for a building has been conveyed, as provided in section one hereof, shall enter into a contract or contracts with some person or persons, corporation or corporations, for the erection on said site of a building with the necessary appurtenances, according to plans and specifications adopted by such city and approved by such board and the Superintendent of Public Instruction.

§ 3. Immediately upon the approval of the plans and specifications as provided in section two hereof such board of education or board of trustees shall offer to lease such building for a term of one or more years from the time such building shall be completed and ready for occupancy, which term shall be for a number of years acceptable to such city. The said lease by its terms shall give such lessee the right and option to extend the term of such lease for a term of one or more years from the expiration of the original term of such lease and for one or more years from the expiration of each extended term of such lease until the original term of such lease shall have been extended for a total number of years, not exceeding thirty years, at a rental which, if paid for the original term and for each of the full number of years for which the term of said lease may be extended, will amortize the total cost of the erection of said building and appurte-

nances, provide an adequate maintenance fund and in addition thereto a sum sufficient to pay the cost of insuring the building against loss or damage by fire and windstorm or other calamity in such sum as may be agreed by the parties thereto.

§ 4. This act shall be deemed to create an additional and alternate method for the acquisition of elementary and/or high school buildings by any board of education or board of trustees of school districts embracing cities of the first, second, third, fourth, fifth or sixth class and shall not be deemed to include, alter, amend or repeal any other statute.

§ 5. Whereas, many of the school districts to which this act is applicable are now without adequate elementary and/or high school buildings, thus endangering the health, safety, convenience and general welfare of the children thereof, now therefore, an emergency is hereby declared to exist and this act shall take effect immediately upon its passage and approval.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Jas. C. Bright	Sidney J. Collins
Carroll D. Asbury	Corbett Brown	D. B. Coughlin
Harold L. Barnes	Wallace Brown	Carroll L. Cropper
Marshall Barnes	Frank C. Bruton	G. Cunningham
Wm. B. Belknap	Hugh K. Bullitt	W. J. Curtis
Reuben J. Boling	J. A. Coleman	Harry Davis

§ 1. That cities of the first, second, third, fourth, fifth, and sixth class, whether organized under the general law or special charter law, and including such cities where the commission form of government has been adopted, are hereby authorized and empowered to establish and erect elementary and/or high school buildings, together with necessary appurtenances thereto within the corporate limits under the provisions of this act for the purpose of supplying the boards of education or the boards of trustees of such city or town adequate buildings necessary to carry out their corporate duties and powers.

§ 2. For the purpose of defraying the cost of acquiring any such elementary and/or high school buildings by construction and appurtenances thereto, any such city may borrow money from the Public Works Administration or other agency of the Federal Government and issue negotiable bonds, provided no such bonds shall be issued unless and until authorized by an ordinance specifying the proposed undertaking, the amount of bonds to be issued and the maximum rate of interest such bonds are to bear, which shall not be more than six per cent (6%) per annum. Such ordinance shall further provide that the proposed elementary and/or high school buildings and appurtenances thereto are to be constructed or acquired pursuant to the provisions of this act.

§ 3. All bonds under the provisions of this act may be issued bearing interest at a rate not exceeding six per cent per annum, payable semi-annually, and shall be executed in such manner and be payable at such times, not exceeding thirty years from date thereof, and at such place or places as such common council, board of commissioners or board of trustees shall determine.

§ 4. Any and all such bonds shall have and are hereby declared to have in the hands of bona fide holders all of the qualities of negotiable instruments under the law merchant, and shall not be subject to taxation. In case any of the officers whose signatures or counter signatures appearing on

nances, provide an adequate maintenance fund and in addition thereto a sum sufficient to pay the cost of insuring the building against loss or damage by fire and windstorm or other calamity in such sum as may be agreed by the parties thereto.

§ 4. This act shall be deemed to create an additional and alternate method for the acquisition of elementary and/or high school buildings by any board of education or board of trustees of school districts embracing cities of the first, second, third, fourth, fifth or sixth class and shall not be deemed to include, alter, amend or repeal any other statute.

§ 5. Whereas, many of the school districts to which this act is applicable are now without adequate elementary and/or high school buildings, thus endangering the health, safety, convenience and general welfare of the children thereof, now therefore, an emergency is hereby declared to exist and this act shall take effect immediately upon its passage and approval.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Jas. C. Bright	Sidney J. Collins
Carroll D. Asbury	Corbett Brown	D. B. Coughlin
Harold L. Barnes	Wallace Brown	Carroll L. Cropper
Marshall Barnes	Frank C. Bruton	G. Cunningham
Wm. B. Belknap	Hugh K. Bullitt	W. J. Curtis
Reuben J. Boling	J. A. Coleman	Harry Davis

§ 1. That cities of the first, second, third, fourth, fifth, and sixth class, whether organized under the general law or special charter law, and including such cities where the commission form of government has been adopted, are hereby authorized and empowered to establish and erect elementary and/or high school buildings, together with necessary appurtenances thereto within the corporate limits under the provisions of this act for the purpose of supplying the boards of education or the boards of trustees of such city or town adequate buildings necessary to carry out their corporate duties and powers.

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§ 4. Any and all such bonds shall have and are hereby declared to have in the hands of bona fide holders all of the qualities of negotiable instruments under the law merchant, and shall not be subject to taxation. In case any of the officers whose signatures or counter signatures appearing on

the bonds or coupons shall cease to be such officers before delivery of such bonds, such signatures or counter signatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until such delivery. Such bonds shall be sold in such manner and upon such terms as the common council, board of commissioners or board of trustees shall deem for the best interest of such city. Such bonds when issued shall be payable solely from the revenue funds derived from such elementary and/or high school building as provided in sections eight and nine hereof and shall not constitute an indebtedness of such city within the meaning of the costitutional provisions or limitations. It shall be plainly stated on the face of such bond that the same has been issued under the provisions of this act and that it does not constitute an indebtedness of such city within the meaning of any constitutional provisions or limitations.

§ 5. All moneys received from any bonds issued pursuant hereto shall be applied solely for the establishment or erection of such elementary and/or high school building and necessary appurtenances thereto, provided such moneys may be used also to advance the payment of the interest on bonds during the first three years following the date of such bonds. And there shall be and there is hereby created a statutory mortgage lien upon the elementary and/or high school building and appurtenances so acquired to and in favor of the holders of said bonds and each of them and to and in favor of the holders of the coupons of said bonds.

§ 6. The elementary and/or high school building so acquired, together with the appurtenances thereto, shall remain subject to such statutory lien until the payment in full of the principal and interest of the bonds. Any holder of said bonds or of any of the coupons may, either at law or in equity, protect and enforce the statutory mortgage lien hereby conferred and may by suit, action, mandamus, or other proceedings enforce and compel performance of all duties required by this act, including the making and collecting of sufficient rates,

such building during the remainder of the calendar, or fiscal year, as may be provided by the ordinance hereinbefore required and the cost of maintaining and operating such building the succeeding like calendar or fiscal year, any excess over such amount shall be transferred to the sinking fund.

§ 11. Such city may issue refunding bonds for the purpose of providing funds for the payment of any outstanding bonds, in accordance with the procedure prescribed by this act. Such refunding bonds shall be secured to the same extent and shall have the same source of payment as the bonds which shall have been thereby refunded.

§ 12. Should the common council, board of commissioners, or board of trustees find that the bonds authorized will be insufficient to accomplish the purpose desired, additional bonds may be authorized and issued subject to the procedure as herein required.

§ 13. Such city in acquiring any building under the provisions of this act, may provide by ordinance any such provision and stipulation for the administration of the income for the security of the bondholders as the common council, board of commissioners, or board of trustees of such city may deem necessary: Provided that the sinking fund, which shall be provided by ordinance as hereinbefore required, shall be deposited in a depository selected by such common council, board of commissioners, or board of trustees, which deposit, where practicable, may be continuously secured by a pledge to the city of direct obligations of the United States of America, exclusive of accrued interest, at all times at least equal to the balance on deposit in such account, or in such other manner acceptable to the purchaser or holders of such bonds. Such securities shall either be deposited with the city or be held by a trustee or agent satisfactory to the common council, board of commissioners, or board of trustees of such city. Such sinking fund may be invested in direct obligations of the United States of America.

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§ 14. When the board of education or board of trustees of such school district of such city has paid rent, in the manner and form as provided in this act, sufficient to amortize the cost of the erection of such building and appurtenances, to maintain such building and pay the cost of insurance, such city shall thereupon convey said premises to such board, and shall transfer the balance, if any, remaining in the funds herein provided to the account of such board of education or board of trustees.

§ 15. This act shall be deemed to create an additional and alternate method for the acquisition of elementary and/or high school buildings by any city of the first, second, third, fourth, fifth, or sixth class and shall not be deemed to include, alter, amend or repeal any other statute. No proceeding shall be required for the acquisition of any elementary and/or high school building hereunder or the issuance of bonds hereunder except such as are prescribed by this act, and provision in the general laws of the Commonwealth of Kentucky or the charter of any city to the contrary notwithstanding.

§ 16. Whereas, many of the cities to which this act is applicable are now without adequate elementary and/or high school buildings, thus endangering the health, safety, convenience and general welfare of the children thereof, now, therefore, an emergency is hereby declared to exist and this act shall take effect immediately upon its passage and approval.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

G. M. Pritchett	Mrs. M. B. Scott	Starling B. Tracy
Pat Rankin	Harry Sparks	Henry T. Ward
Waylon Rayburn	Lafe J. Spencer	Robert E. Webb
W. P. Renfro	Lyle C. Tackett	J. B. Wicker
L. D. Sandlin	John W. Taylor	B. M. Williams
Avery Sartin	Elmore J. Thomas	
Jos. W. Schneider	J. Sterling Towles	

Mr. Rayburn moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Lane moved that the privilege of the floor be extended to The Hon. J. D. Via, former member of this House.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred, as follows, viz.:

By Dr. Hill:

H. B. 801. An Act relating to the time of payment of Confederate Pensions.

By same:

H. B. 802. An Act providing for the construction, operation and maintenance by the State Highway Commission of Kentucky of a bridge across the Kentucky River in the City of Frankfort, Franklin County, Kentucky; authorizing the State Highway Commission of Kentucky to acquire the necessary rights of way for the construction of said bridge; defining the word "bridge" to include the necessary approaches

§ 14. When the board of education or board of trustees of such school district of such city has paid rent, in the manner and form as provided in this act, sufficient to amortize the cost of the erection of such building and appurtenances, to maintain such building and pay the cost of insurance, such city shall thereupon convey said premises to such board, and shall transfer the balance, if any, remaining in the funds herein provided to the account of such board of education or board of trustees.

§ 15. This act shall be deemed to create an additional and alternate method for the acquisition of elementary and/or high school buildings by any city of the first, second, third, fourth, fifth, or sixth class and shall not be deemed to include, alter, amend or repeal any other statute. No proceeding shall be required for the acquisition of any elementary and/or high school building hereunder or the issuance of bonds hereunder except such as are prescribed by this act, and provision in the general laws of the Commonwealth of Kentucky or the charter of any city to the contrary notwithstanding.

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Ordered that said bill be read the third time.

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Mr. Rayburn moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Lane moved that the privilege of the floor be extended to The Hon. J. D. Via, former member of this House.

Said motion was agreed to.

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thereto to make proper connection from said bridge with the adjacent streets or highways; providing that the costs of the construction and maintenance thereof shall be paid out of the State Road Fund; and providing that no tolls or other charges shall be made for the use of said bridge except as authorized and provided in this Act, and defining the powers and duties of the State Highway Commission of Kentucky and the Governor of Kentucky pertaining thereto.

By Mr. G. W. Howard:

H. B. 803. An Act relating to the time of payment of Confederate Pensions.

By Mr. Munford:

H. B. 804. An Act providing that the publication of a fair and impartial report or the publication of the whole or a fair synopsis of any bill, report, resolution, bulletin, notice, petition or proceeding before any State Legislative or Executive body, board or officer, or the publication of any pleading, indictment, warrant or other document in any criminal or civil action or proceeding in any court of competent jurisdiction shall be privileged, unless it shall be proved that such publication was maliciously made.

By Mr. Meadors:

H. B. 805. An Act repealing an act of March 29, 1918, Section 98a 1-11, and to be re-enacted, regulating the admission of attorneys to practice law; to read as follows:

By Mr. Kirtley:

H. B. 806. An Act creating and establishing as part of the Primary System of highways of the Commonwealth of

Governor, Judges of the Court of Appeals and members of the General Assembly, may be abolished or consolidated by the General Assembly, etc.

H. Res. 53. Resolution authorizing Mrs. Lane Taulbee Holliday to sue the Commonwealth of Kentucky and/or the State Highway Commission.

H. B. 725. An Act repealing Section 2739f-4 of the 1933 Supplement of the Kentucky Statutes, including all and singular subsections thereof, etc., relating to "My Old Kentucky Home Commission."

H. B. 439. An Act enabling the fiscal courts of counties containing cities of the 5th and 6th classes to enter into a contract with said cities to construct a road through said cities or towns.

H. B. 352. An Act to amend and re-enact the title and Section 1 of an Act of the General Assembly which was adopted at its regular session in 1932, and entitled "An Act enabling cities of the 3rd class to acquire, construct, operate and maintain electric light, heat and power plants and to issue revenue bonds, etc.

H. B. 203. An Act to amend and re-enact Section 2438-8 of Baldwin's 1932 Supplement of Carroll's Kentucky Statutes, same being Section 1 of Chapter 63 of the Acts of the General Assembly of 1930, and relating to establishing in the county seat of each county a County Law Library, etc.

H. R. 65. Resolution authorizing E. E. Tarter of Hickman county to sue the Commonwealth of Kentucky.

With the expression of opinion that said bills and resolutions ought to pass.

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H. R. 65. Resolution authorizing E. E. Tarter of Hickman county to sue the Commonwealth of Kentucky.

With the expression of opinion that said bills and resolutions ought to pass.

Said bills and resolutions were read at length the first time and ordered to be placed on the Calendar.

Dr. Hill moved that the rules be suspended and that the House do now proceed to the consideration of the Orders of the Day.

Said motion was agreed to.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 700. An Act recognizing the Oil Well in Cumberland County, Kentucky, commonly known as the American Oil Well, and providing for the erection of a marker at the well.

H. B. 474. An Act to repeal and re-enact Section 1820 Kentucky Statutes, Carroll's 1930 Edition, providing for the establishment of ferries on the Ohio River and other streams, etc.

H. B. 739. An Act to amend and re-enact Chapter 2739j-76 of Carroll's Statutes, Baldwin's Division, Supplement to 1933, which section is a part of Chapter 104 of the 1932 Acts of the General Assembly.

H. B. 690. An Act to amend and re-enact Section 3952a-1 and 3953a-4, Kentucky Statutes, 1930 Edition, relating to Superintendent of Public Printing and the Assistant Superintendent of Public Printing.

H. B. 646. An Act amending and re-enacting Sections 3662a-1, 3662a-2 and 3662a-3 of Baldwin's Kentucky Statutes, relating to dissolution of charters of towns of the 6th class.

H. B. 565. An Act to amend and re-enact Section 6 and

through the levee without injury to the lands on the south side of said levee, and whereas the lands owned by E. G. Barrass have been greatly damaged by the negligent construction and maintenance of said road, rendering his farm practically worthless, and whereas the said E. G. Barrass alleges and claims that said damage and injury to his lands was caused entirely by the negligence and carelessness of the State Highway Commission, its agents and employees in the construction and maintenance of said road, and

Whereas, if the said injury and damage to said lands was caused by the negligence and carelessness of the State Highway Commission, its agents and employees, the said E. G. Barrass should be compensated for his damage and injury to his lands; therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That E. G. Barrass be and he is hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission of Kentucky, in the Ohio Circuit Court for such damage as he may have sustained, if any, by reason of any injury or damage to his lands through the carelessness or negligence of the State Highway Commission of Kentucky, its agents or employees, and in the event any judgment is recovered by the said Barrass in said suit for damage to his lands, same shall be paid by the Auditor by Warrant on the Treasurer.

Either party to said suit may appeal from any judgment which may be rendered in the Ohio Circuit Court to the Court of Appeals, and the case may be settled and adjusted with the consent of the Attorney General of Kentucky in the same way as any other civil case.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of

Said bills and resolutions were read at length the first time and ordered to be placed on the Calendar.

Dr. Hill moved that the rules be suspended and that the House do now proceed to the consideration of the Orders of the Day.

Said motion was agreed to.

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through the levee without injury to the lands on the south side of said levee, and whereas the lands owned by E. G. Barrass have been greatly damaged by the negligent construction and maintenance of said road, rendering his farm practically worthless, and whereas the said E. G. Barrass alleges and claims that said damage and injury to his lands was caused entirely by the negligence and carelessness of the State Highway Commission, its agents and employees in the construction and maintenance of said road, and

Whereas, if the said injury and damage to said lands was caused by the negligence and carelessness of the State Highway Commission, its agents and employees, the said E. G. Barrass should be compensated for his damage and injury to his lands; therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That E. G. Barrass be and he is hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission of Kentucky, in the Ohio Circuit Court for such damage as he may have sustained, if any, by reason of any injury or damage to his lands through the carelessness or negligence of the State Highway Commission of Kentucky, its agents or employees, and in the event any judgment is recovered by the said Barrass in said suit for damage to his lands, same shall be paid by the Auditor by Warrant on the Treasurer.

Either party to said suit may appeal from any judgment which may be rendered in the Ohio Circuit Court to the Court of Appeals, and the case may be settled and adjusted with the consent of the Attorney General of Kentucky in the same way as any other civil case.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of

said resolution at length being dispensed with, said reslution was read the third time by its title only and passed.

The yeas and nays being taken thereon in according with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	T. P. Fitzpatrick	L. B. Meadors
Carroll D. Asbury	J. B. Floyd	G. Samuel Milam
Levi Baker	Kelly J. Francis	Clarence Miller
Harold L. Barnes	W. J. Garnett	H. H. Miller
Marshall Barnes	Ralph Gilbert	W. H. Miller
Robert E. Beatty	C. Gottschalk	James B. Milliken
B. F. Bedford	Judson Harmon	Rodes K. Myers
Reuben J. Boling	Frank Harris	James I. Peters
O. J. Bowen	R. M. Harrison, Jr.	M. D. Phelps
Jas. C. Bright	Dr. A. L. Hill	Steve Pieratt
Wallace Brown	John R. Hobbs	Kleber F. Price
Frank C. Bruton	Ira W. Hulette	G. M. Pritchett
Hugh K. Bullitt	G. C. Johnson	Pat Rankin
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
Sidney J. Collins	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
Carroll L. Cropper	W. L. Knuckles, Jr.	Lafe J. Spencer
G. Cunningham	Glenn W. Lane	John W. Taylor
W. J. Curtis	Alden L. Love	Elmore J. Thomas
Harry Davis	M. T. McCarthy	J. Sterling Towles
R. A. Demunbrun	George R. McIntosh	Starling B. Tracy
S. S. Dickson	Herschel McKinley	Henry T. Ward
George Dunlap	C. C. McMasters	Robert E. Webb
Garland Embry	Roy McWaters	J. B. Wicker
Clarence E. Evans	C. C. May	B. M. Williams
Rudy Ferguson	J. S. Mattingly	—83

Resolved that the title thereof be as aforesaid.

sioner and in which the Commissioner shall be the obligee in the penal sum of $5,000.00 conditioned upon the faithful discharge of his duties hereunder. The Commissioner shall have the right to fix the salary of each such weigher and grader which shall be paid out of the fees collected under this act as hereinafter provided, and the Commissioner shall have the right to discharge any such weigher or grader so appointed. The functions of a weigher and grader may be performed by the same person.

§ 3. All livestock bought and sold in this state by any buyer as herein defined other than upon a public stockyard shall be weighed and graded at either a packing house or concentration point in this state by or under the supervision of a weigher or grader appointed by the Commissioner but it shall not be necessary for any livestock to be weighed and graded hereunder at both such places. Each buyer shall furnish to the weigher or grader each day a written report signed by him showing each purchase of livestock made by him that is weighed and graded by or under the supervision of such weigher or grader on said day, the number and kind of livestock included in each such purchase, the name and address of each producer of any of such livestock, the price paid per hundredweight, and the total amount paid for said livestock to each such producer by such buyer. Thereafter the weigher or grader shall prepare and sign a certificate or certificates showing as to each producer of any livestock included in any such purchase the information obtained from said reports from said buyer and also the weight and grade of such livestock as determined by such weigher or grader, and the market price of similar livestock at the public stockyards in Chicago, Illinois, on the day of such purchase as determined from the reports issued by the United States Department of Agriculture and within three days after he receives such report from such buyer, he shall send one copy of such certificate to the purchaser named therein and another copy

said resolution at length being dispensed with, said reslution was read the third time by its title only and passed.

The yeas and nays being taken thereon in according with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

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B. F. Bedford	Judson Harmon	Rodes K. Myers
Reuben J. Boling	Frank Harris	James I. Peters
O. J. Bowen	R. M. Harrison, Jr.	M. D. Phelps
Jas. C. Bright	Dr. A. L. Hill	Steve Pieratt
Wallace Brown	John R. Hobbs	Kleber F. Price
Frank C. Bruton	Ira W. Hulette	G. M. Pritchett
Hugh K. Bullitt	G. C. Johnson	Pat Rankin
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
Sidney J. Collins	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
Carroll L. Cropper	W. L. Knuckles, Jr.	Lafe J. Spencer
G. Cunningham	Glenn W. Lane	John W. Taylor
W. J. Curtis	Alden L. Love	Elmore J. Thomas
Harry Davis	M. T. McCarthy	J. Sterling Towles
R. A. Demunbrun	George R. McIntosh	Starling B. Tracy
S. S. Dickson	Herschel McKinley	Henry T. Ward
George Dunlap	C. C. McMasters	Robert E. Webb
Garland Embry	Roy McWaters	J. B. Wicker
Clarence E. Evans	C. C. May	B. M. Williams
Rudy Ferguson	J. S. Mattingly	—83

Resolved that the title thereof be as aforesaid.

sioner and in which the Commissioner shall be the obligee in the penal sum of $5,000.00 conditioned upon the faithful discharge of his duties hereunder. The Commissioner shall have the right to fix the salary of each such weigher and grader which shall be paid out of the fees collected under this act as hereinafter provided, and the Commissioner shall have the right to discharge any such weigher or grader so appointed. The functions of a weigher and grader may be performed by the same person.

§ 3. All livestock bought and sold in this state by any buyer as herein defined other than upon a public stockyard shall be weighed and graded at either a packing house or concentration point in this state by or under the supervision of a weigher or grader appointed by the Commissioner but it shall not be necessary for any livestock to be weighed and graded hereunder at both such places. Each buyer shall furnish to the weigher or grader each day a written report signed by him showing each purchase of livestock made by him that is weighed and graded by or under the supervision of such weigher or grader on said day, the number and kind of livestock included in each such purchase, the name and address of each producer of any of such livestock, the price paid per hundredweight, and the total amount paid for said livestock to each such producer by such buyer. Thereafter the weigher or grader shall prepare and sign a certificate or certificates showing as to each producer of any livestock included in any such purchase the information obtained from said reports from said buyer and also the weight and grade of such livestock as determined by such weigher or grader, and the market price of similar livestock at the public stockyards in Chicago, Illinois, on the day of such purchase as determined from the reports issued by the United States Department of Agriculture and within three days after he receives such report from such buyer, he shall send one copy of such certificate to the purchaser named therein and another copy

shall be filed in the office of said Commissioner. Said report and certificate shall be in such form as such Commissioner may require from time to time.

Provided this section shall not require stock purchased or resold for feeding, grazing or use by farmers (or others than packers, or for packers or packing houses) to be weighed or graded as herein required, nor shall one buying solely for such purposes be required to take out license as a buyer.

§ 4. No person while acting as such weigher or grader shall be in any manner directly or indirectly financially interested in the handling, shipping, producing, sale, slaughter or processing of livestock nor in the employment of any person engaged therein, and any person not duly appointed and qualified hereunder who shall assume or undertake to act as such weigher or grader shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than $100.00 and not more than $1,000.00, or by imprisonment in the County Jail for not less than 30 days nor more than 1 year, or by both such fine and imprisonment.

§ 5. Any weigher or grader who knowingly shall improperly or incorrectly grade or improperly or incorrectly supervise the weighing of any livestock hereunder or make or give any false report or certificate of weight or grade or who shall accept money or other consideration, directly or indirectly, for any improper performance or for any nonperformance of his duties under this Act, and any person who shall influence or attempt to influence any such officer to improperly perform or not to perform his duties hereunder, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than $100.00 and not more than $1,000.00 or by imprisonment in the County Jail for not less than 30 days, nor more than 1 year, or by both such fine and imprisonment.

§ 6. Any person who shall obstruct any such weigher or grader in the performance of his duties under the Act by pre-

the name and address of each such agent; (d) such other information as the Commissioner may deem necessary in the proper administration of this Act. No agent shall act for any such buyer unless the buyer is duly licensed hereunder and has designated such agent to act in his behalf and has notified the Commissioner to that effect in his application for license as a buyer or in writing of such appointment and has requested the Commissioner to issue to such agent an agent's license. A fee of $1.00 each year shall be required for any such agent's license.

§ 11. Each applicant for such license shall file with his application a surety company bond by a surety company duly qualified to do business as such in this State, in the sum of $5,000.00, in which the Commissioner shall be the obligee, but which shall be for the purpose of protecting any person dealing with such applicant from loss by reason of acts of fraud, dishonesty, forgery, or theft on the part of the principal named in such bond, or on the part of any agent or employee of such principal. The Commissioner, upon receipt and approval of such bond by him and upon receipt of such application for license and upon the payment of the fee above provided for such license, shall issue such license entitling the applicant and his agent or agents to conduct the business as of buying livestock as buyer, at the place or places in this State (other than at and upon a public stockyard) named in the application, until December 31st next following.

§ 12. The Commissioner may decline to grant or he may suspend or revoke a license when he is satisfied that (a) the applicant or licensee has violated or is violating the laws of this State or of the United States pertaining to the purchase or sale of livestock; or (b) that the applicant or licensee has been or is guilty of fraudulent or discriminatory practices in the purchase of livestock or in dealing in livestock. Before any license shall be suspended or revoked the licensee shall be furnished with a copy of the complaint made

shall be filed in the office of said Commissioner. Said report and certificate shall be in such form as such Commissioner may require from time to time.

Provided this section shall not require stock purchased or resold for feeding, grazing or use by farmers (or others than packers, or for packers or packing houses) to be weighed or graded as herein required, nor shall one buying solely for such purposes be required to take out license as a buyer.

§ 4. No person while acting as such weigher or grader shall be in any manner directly or indirectly financially interested in the handling, shipping, producing, sale, slaughter or processing of livestock nor in the employment of any person engaged therein, and any person not duly appointed and qualified hereunder who shall assume or undertake to act as such weigher or grader shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than $100.00 and not more than $1,000.00, or by imprisonment in the County Jail for not less than 30 days nor more than 1 year, or by both such fine and imprisonment.

§ 5. Any weigher or grader who knowingly shall improperly or incorrectly grade or improperly or incorrectly supervise the weighing of any livestock hereunder or make or give any false report or certificate of weight or grade or who shall accept money or other consideration, directly or indirectly, for any improper performance or for any nonperformance of his duties under this Act, and any person who shall influence or attempt to influence any such officer to improperly perform or not to perform his duties hereunder, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than $100.00 and not more than $1,000.00 or by imprisonment in the County Jail for not less than 30 days, nor more than 1 year, or by both such fine and imprisonment.

§ 6. Any person who shall obstruct any such weigher or grader in the performance of his duties under the Act by pre-

the name and address of each such agent; (d) such other information as the Commissioner may deem necessary in the proper administration of this Act. No agent shall act for any such buyer unless the buyer is duly licensed hereunder and has designated such agent to act in his behalf and has notified the Commissioner to that effect in his application for license as a buyer or in writing of such appointment and has requested the Commissioner to issue to such agent an agent's license. A fee of $1.00 each year shall be required for any such agent's license.

§ 11. Each applicant for such license shall file with his application a surety company bond by a surety company duly qualified to do business as such in this State, in the sum of $5,000.00, in which the Commissioner shall be the obligee, but which shall be for the purpose of protecting any person dealing with such applicant from loss by reason of acts of fraud, dishonesty, forgery, or theft on the part of the principal named in such bond, or on the part of any agent or employee of such principal. The Commissioner, upon receipt and approval of such bond by him and upon receipt of such application for license and upon the payment of the fee above provided for such license, shall issue such license entitling the applicant and his agent or agents to conduct the business as of buying livestock as buyer, at the place or places in this State (other than at and upon a public stockyard) named in the application, until December 31st next following.

§ 12. The Commissioner may decline to grant or he may suspend or revoke a license when he is satisfied that (a) the applicant or licensee has violated or is violating the laws of this State or of the United States pertaining to the purchase or sale of livestock; or (b) that the applicant or licensee has been or is guilty of fraudulent or discriminatory practices in the purchase of livestock or in dealing in livestock. Before any license shall be suspended or revoked the licensee shall be furnished with a copy of the complaint made

against him and a hearing shall be had before the Commissioner upon at least ten days' notice to the licensee to determine whether such license shall be suspended or revoked, which notice may be served either by registered mail addressed to the address of the licensee as shown in his application or in the manner provided by the laws of this State for the service of a summons. At the time and place fixed for the hearing the Commissioner or any employee or agent of the Commissioner authorized by the Commissioner shall receive evidence, administer oaths, examine witnesses and hear the testimony, and the Commissioner thereafter shall file an order in writing either dismissing the proceeding or suspending or revoking the license.

§ 13. Each buyer shall keep such accounts, records and memoranda concerning his buying transactions under this Act as may from time to time be required by the Commissioner who shall at all times have access to such accounts, records, memoranda.

§ 14. The provisions of this Act shall be administered by the Commissioner. He shall establish from time to time and cause to be enforced such rules and regulations as he may deem necessary for the correct and uniform weighing and grading of livestock and for inspection of scales (other than posted public stockyards scales) used in weighing livestock bought hereunder and for the effective administration of all of the provisions of this Act. For the purpose of obtaining the funds necessary to cover the cost of and incident to weighing and grading of livestock and with respect to the issuance, suspension and revocation of licenses all as provided for under this Act, there shall be assessed and collected by the Commissioner from the buyer 25 cents per head for each head of cattle, 20 cents per head for each head of calves or hogs, and 20 cents per head for each head of lambs or sheep bought by such buyer in this State while this Act shall be in force and effect. All moneys collected under this Section and under

Section 10 hereof shall be deposited in the State Treasury and shall be known as The Livestock Weight, Grading and Licensing Fund, and all moneys collected under Section 7 hereof shall be deposited with the State Treasurer and shall be known as the Live Stock Scale Inspection Fund, and all such moneys shall be paid out only on the order of the Commissioner and the Auditor's warrant.

§ 15. Nothing herein contained shall apply to livestock market agencies nor to any transaction at or upon posted public stockyards, nor to the purchase or sale of hogs or cattle by or for a serum plant or business.

§ 16. It shall be unlawful for any person to engage, continue or permit another in its employ to engage or continue in the business of the buying of livestock as herein defined within this State without first having obtained a license as provided in this Act. Any employee or officer of any corporation, buyer, and any other buyer or agent or employee thereof violating any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in any amount not exceeding two hundred ($200.00) dollars, and for a second offence, there may be added in the discretion of the Court, imprisonment not exceeding six months.

§ 17. If any clause, section, paragraph or part of this Act shall for any reason be adjudicated by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 18. Since the passage of the Packers and Stockyards Act, 1921 (42 U. S. Statutes at Large, p. 159), providing for the regulatinn by the Secretary of Agriculture of the United States of livestock market agencies and of the public stockyards upon which such agencies operate, the packers whose

packing houses in most instances are directly connected with these stockyards by means of chutes have fostered, encouraged and developed a system of direct marketing of livestock from the producer thereof to the packer. This system has grown to such an extent that at the present time a very large portion of the total livestock produced in this State is being marketed in this manner. This has had and is having the effect of depressing the market price of such livestock and of keeping livestock off of public markets where they would be bought and sold under open competitive conditions subject to regulation by such Secretary of Agriculture. The system of direct marketing is not regulated at the present time either by the Federal Government or by this State, and the business is carried under conditions and circumstances whereby it is possible for fraud, deception, discrimination and dishonesty to be practiced upon the producers of livestock in this state to their great damage and detriment. This legislation is intended to prevent any and all such practices and to regulate the conditions and circumstances under which direct marketing of livestock shall be carried on in this State. This act, therefore, shall be in full force and effect from and after its passage and approval as required by law.

Mr. Boling offered the following amendment to said bill, viz.:

Amend H. B. 658 by adding after the word "defined" line 12, page 2 of the printed bill, viz.:

"and persons buying less than 50 head of stock per day (for local consumption or resale) shall be exempt from the provisions of this Act and further exempting privately owned scales from any charge of inspection."

Said amendment was agreed to.

Mr. Rankin offered the following amendment to said bill, viz.:

Amend H. B. 658 by adding after line 35, page 2 of the printed bill, the following: "Trader" shall mean any person who buys livestock for the purpose of feeding, grazing, or resale at public stockyards or from or to individuals and a trader is exempt from the provisions of this Act.

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Hugh K. Bullitt	Clarence E. Evans
Carroll D. Asbury	Mrs. Cecil Cantrill	Rudy Ferguson
Levi Baker	J. A. Coleman	T. P. Fitzpatrick
Harold L. Barnes	Sidney J. Collins	J. B. Floyd
Robert E. Beatty	D. B. Coughlin	Kelly J. Francis
B. F. Bedford	Joel T. Crenshaw	W. J. Garnett
Wm. B. Belknap	Carroll L. Cropper	Ralph Gilbert
Reuben J. Boling	G. Cunningham	Ferd A. Gnau
O. J. Bowen	W. J. Curtis	C. Gottschalk
Jas. C. Bright	Harry Davis	J. S. Hall
Corbett Brown	R. A. Demunbrun	W. Yancey Handy
Wallace Brown	George Dunlap	Judson Harmon
Frank C. Bruton	Garland Embry	R. M. Harrison, Jr.

J. Joseph Hettinger	C. C. May	Avery Sartin
Dr. A. L. Hill	J. S. Mattingly	Jos. W. Schneider
John R. Hobbs	G. Samuel Milam	Mrs. M. B. Scott
Ira W. Hulette	Clarence Miller	Harry Sparks
G. C. Johnson	H. H. Miller	Lafe J. Spencer
T. M. Johnson	W. H. Miller	Lyle C. Tackett
F. P. Kessee	James B. Milliken	John W. Taylor
J. H. King	Tyler Munford	Elmore J. Thomas
John Kirtley	Rodes K. Myers	Harry B. Thornton
W. L. Knuckles, Jr.	M. D. Phelps	J. Sterling Towles
Glenn W. Lane	Steve Pieratt	Starling B. Tracy
Alden L. Love	Kleber F. Price	Henry T. Ward
M. T. McCarthy	G. M. Pritchett	Robert E. Webb
George R. McIntosh	Pat Rankin	J. B. Wicker
Herschel McKinley	Waylon Rayburn	B. M. Williams
C. C. McMasters	W. P. Renfro	
Roy McWaters	L. D. Sandlin	—88

Those who voted in the negative were—

S. S. Dickson	G. W. Howard	James I. Peters
Frank Harris	Robert A. Persky	—5

Resolved that the title thereof be as aforesaid.

Mr. Cropper moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The hour of twelve o'clock Meridian, having arrived, Dr. Hill moved that the House do now recess until two o'clock P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of two o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

At the instance of the Committee on Rules, the following bill was introduced, ordered printed and referred as follows, viz.:

By Mr. G. W. Howard:

H. B. 808. An Act relating to the present employees of the General Assembly, providing compensation for their services, etc.

To Committee on Rules.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 477. An Act authorizing, empowering, ordering and directing the Auditor of Public Accounts and the Treasurer to refund to all purchasers of motor vehicles licenses for the year 1934 any rates or amounts charged them in excess of the rates or amounts fixed by Section 2739g-2, Kentucky Statutes, as re-enacted by this session of the General Assembly, prescribing the manner of accomplishing the purposes hereof and declaring an emergency to exist.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That, whereas, Chapter 81 of the Acts of the 1930 Session of the General Assembly, being Section 2739g-2 of Baldwin's Revision of Carroll's Kentucky Statutes, 1932 Supplement, defining passenger automobiles and providing

for registration fees of such motor vehicles, has been repealed and re-enacted as emergency legislation by this session of the General Assembly, has been signed by the Governor, and is now the statutory and existing law of this Commonwealth.

And, whereas, the effect of the said repeal and re-enactment of the aforesaid section of the Statute is a substantial reduction in the registration or license fees for certain motor vehicles for the year 1934, and to fix the amounts chargeable for said licenses for the year 1934,

And, whereas, by reason of an act of the Governor of the Commonwealth extending the time for the purchase or obtention of licenses for motor vehicles for the year 1934, said license fees have not been and are not now due,

And, whereas, various County Clerks of the Commonwealth of Kentucky, prior to the repeal and re-enactment of Section 2739g-2 of Kentucky Statutes, have held themselves out as agents of the Commonwealth for the sale and dispensation of automobile licenses for passenger automobiles and other motor vehicles for the year 1934,

And, whereas, many citizens and residents of the Commonwealth have purchased licenses for the year 1934 for their said motor vehicles at the rates existing before said license fees for the year 1934 were reduced as aforesaid, and before they were due and fixed as aforesaid;

§ 2. That the Auditor of Public Accounts and the Treasurer of the Commonwealth are authorized, empowered, ordered and directed to refund to all purchasers of 1934 licenses, for all motor vehicles within the purview of Section 2739g-2 as repealed and re-enacted by this session of the General Assembly, any excess amounts collected from them for said licenses for the year 1934 over and above the rates and amounts fixed by Section 2739g-2 as re-enacted as aforesaid: Provided that no claims for refunds shall be recognized when not accompanied with the license certificate of the claimant

or an attested copy thereof, and no such claim shall be recognized which was not filed and presented before June 15, 1934. The Auditor of Public Accounts shall determine the manner of accomplishing the purposes hereof.

§ 3. Whereas the action of the Governor of this Commonwealth in extending the time for the purchase of 1934 automobile licenses has been and is ratified by this General Assembly in reducing the said licenses in compliance to the request of the Governor.

And, whereas, the situation thus created has resulted in a gross discrimination and injustice against many citizens who did not avail themselves of the extension of time granted by the Governor and bought their licenses before the aforesaid reduction was effected and before the said license fees were due.

An emergency is declared to exist and this act shall become a law and take effect immediately after its passage and approval by the Governor.

Mr. Kirtley offered the following amendments to said bill, viz.:

Amend Section 1 of H. B. 477 by adding and inserting in line 2, on page 1, after the word "being" and before the word "Section" the following:

"Subsections 'c' and 'd' of.

Amend Section 1 of H. B. 477 by striking from lines 3 and 4 on page 1 the following: "defining passenger automobiles and".

Amend H. B. 477, Section 1, page 2, line 17 of the bill, by adding and inserting after the word "of" and before the word "Section" the following:

"Subsections 'c' and 'd' of".

Amend Section 2 of H. B. 477, line 4, page 2 of the bill, by adding and inserting after the word "of" and before the word "section" the following: "Subsections 'c' and 'd' of".

Amend Section 2 of H. B. 477, line 7, page 2 of the bill, by adding and inserting after the word "by" and before the word "section" the following: "Subsections 'c' and 'd' of".

Said amendments were each and severally agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Sidney J. Collins	Ralph Gilbert
Carroll D. Asbury	D. B. Coughlin	Ferd A. Gnau
Harold L. Barnes	Joel T. Crenshaw	C. Gottschalk
Marshall Barnes	G. Cunningham	J. S. Hall
B. F. Bedford	W. J. Curtis	W. Yancey Handy
Reuben J. Boling	Harry Davis	Judson Harmon
O. J. Bowen	R. A. Demunbrun	Frank Harris
Jas. C. Bright	George Dunlap	R. M. Harrison, Jr.
Corbett Brown	Garland Embry	J. Joseph Hettinger
Wallace Brown	Rudy Ferguson	Dr. A. L. Hill
Frank C. Bruton	T. P. Fitzpatrick	John R. Hobbs
Mrs. Cecil Cantrill	Kelly J. Francis	G. W. Howard
Charles Chandler	L. J. Gammon	Ira W. Hulette
J. A. Coleman	W. J. Garnett	G. C. Johnson

T. M. Johnson	L. B. Meadors	Jos. W. Schneider
F. P. Kessee	H. H. Miller	Mrs. M. B. Scott
J. H. King	W. H. Miller	Lafe J. Spencer
Leo King	James B. Milliken	Lyle C. Tackett
John Kirtley	Richard H. Nufer	John W. Taylor
W. L. Knuckles, Jr.	James I. Peters	Elmore J. Thomas
Glenn W. Lane	M. D. Phelps	Harry B. Thornton
Alden L. Love	Steve Pieratt	J. Sterling Towles
M. T. McCarthy	Kleber F. Price	Starling B. Tracy
George R. McIntosh	G. M. Pritchett	Henry T. Ward
Herschel McKinley	Waylon Rayburn	Robert E. Webb
Roy McWaters	W. P. Renfro	J. B. Wicker
C. C. May	L. D. Sandlin	B. M. Williams
J. S. Mattingly	Avery Sartin	–88

Mr. Kirtley offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 477 by adding and inserting after the word "by" and before the word "section" the following: "Subsections 'c' and 'd' of".

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Milliken moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Cunningham moved that the privilege of the floor be extended to Mr. R. A. Alexander.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 547. An Act to amend and re-enact Section 4036 Kentucky Statutes, Carroll's 1930 Edition, relating to the lien of a purchaser at an invalid tax sale, amending and re-enacting the same as to enforcement of such lien.

With a Committee amendment thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4036, Kentucky Statutes, Carroll's 1930 Edition, be and the same is hereby amended by adding thereto the following proviso:

Such lien may be enforced against such property by action as are other liens, at any time after the invalid sale but prior to the expiration of the lien by reason of limitation, whether the purchaser be the Commonwealth of Kentucky and other taxing districts or any other person, firm or corporation.

So that said section as amended and re-enacted shall read lows, viz.:

SECTION 4036. LIEN OF PURCHASER IF SALE SET ASIDE: ENFORCEMENT, ... Whenever any person shall purchase property sold for delinquent taxes, and the sale shall be set aside because of any irregularity, the purchaser shall have a lien on the property for the amount of taxes and cost paid by him, and for which the property is liable, with legal interest from the time of such payment which may be recovered from the owner of the property or person owning the same. Such lien may be enforced against such property by action as are other liens,

at any time after the invalid sale but prior to the expiration of the lien by reason of limitation, whether the purchaser be the Commonwealth of Kentucky and other taxing districts or any other person, firm or corporation.

Said amendment as offered by the Committee, is as follows, viz.:

Amend H. B. 547 as follows, by inserting on page 1, line 12, after the word "irregularity" "except where owner has paid his taxes and has receipt for same".

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Charles Chandler	Kelly J. Francis
Carroll D. Asbury	J. A. Coleman	W. J. Garnett
Harold L. Barnes	D. B. Coughlin	C. Gottschalk
B. F. Bedford	Joel T. Crenshaw	J. S. Hall
Wm. B. Belknap	G. Cunningham	W. Yancey Handy
Reuben J. Boling	W. J. Curtis	Judson Harmon
O. J. Bowen	Harry Davis	Frank Harris
Jas. C. Bright	R. A. Demunbrun	R. M. Harrison, Jr.
Wallace Brown	George Dunlap	J. Joseph Hettinger
Frank C. Bruton	Garland Embry	Dr. A. L. Hill
Mrs. Cecil Cantrill	Rudy Ferguson	John R. Hobbs

G. W. Howard	C. C. May	L. D. Sandlin
Ira W. Hulette	J. S. Mattingly	Avery Sartin
G. C. Johnson	L. B. Meadors	Mrs. M. B. Scott
T. M. Johnson	H. H. Miller	Lafe J. Spencer
F. P. Kessee	W. H. Miller	Lyle C. Tackett
Leo King	James B. Milliken	Elmore J. Thomas
John Kirtley	Richard H. Nufer	Harry B. Thornton
W. L. Knuckles, Jr.	James I. Peters	J. Sterling Towles
Glenn W. Lane	M. D. Phelps	Starling B. Tracy
Alden L. Love	Kleber F. Price	Henry T. Ward
M. T. McCarthy	G. M. Pritchett	J. B. Wicker
George R. McIntosh	Waylon Rayburn	B. M. Williams
Roy McWaters	W. P. Renfro	—71

Those who voted in the negative were—

Herschel McKinley Pat Rankin —2

Resolved that the title thereof be as aforesaid.

Mr. Ferguson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 148. An Act to provide for the co-operation of this State with the Federal Government and its officers and agencies in effectuating the policies of a statute of the United States entitled "An Act to encourage National Industrial Recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes," approved June sixteenth, one thousand nine hundred and thirty-three, in order to encourage industrial recovery, to reduce unemployment, to foster fair competition, to eliminate

unfair competitive practices, by the enactment of legislation of like nature relating to transactions within the State of Kentucky, including those affecting intrastate commerce only; to create the Kentucky Industrial Recovery Act; to provide penalties for failure to comply therewith and to declare an emergency.

With a Committee amendment thereto by way of Substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The existence in this State of the present acute economic emergency, and the effects and certain causes thereof as declared in Section 1 of Title 1 of the act of Congress entitled "An Act to encourage National Industrial Recovery, to foster fair competition, and to provide for the construction of useful public works, and for other purposes," approved June sixteenth, one thousand nine hundred and thirty-three, is hereby recognized; and it is hereby declared that said emergency and the causes and effects thereof, as so declared, relate as well to commerce in this State, wholly intrastate in character, as to interstate and foreign commerce carried on in this State. It is hereby declared to be the policy of this State to co-operate with the Congress of the United States in the furtherance of the objects and purposes declared in said act of Congress, and each and every provision of this act shall be construed in accordance with the policy so declared, and in no wise so as to conflict with any of the provisions of said act of Congress or with any action of the President of the United States or any other Federal agency lawfully taken in pursuance of said act.

§ 2. To effectuate the policy of this act, the Governor is authorized to delegate all or any part of the powers and

functions hereby vested in him to any officer or officers, department or departments, commission or commissions, or other agency or agencies of the State Government, and to accept and utilize such voluntary and uncompensated services as he may find necessary, and to prescribe their authorities, duties and responsibilities. The consent of the State is hereby given, upon the written approval of the Governor, to the utilization by the President of the United States of the services of such State and local officers and employees as the President may find necessary. The Governor, or agency to whom the Governor may delegate any of his functions and powers under this act, may call upon any agency maintained by the State or by any educational institution supported in whole or in part by State funds, or upon any officers or employees of any county, municipal corporation, or body politic in this State for aid in carrying out his or its functions under this act.

§ 3. Anything in the common law or statute law of this State with respect to contracts in restraint of trade or commerce, or of competition, to the contrary notwithstanding, it shall be lawful:

(a) For any persons, members of one or more trade or industrial associations or groups, to meet, confer and agree upon a code or codes of fair competition for the trade or industry, or subdivision thereof, represented by them. When and if any such code shall have been approved by the President of the United States, pursuant to section 3 (a) of Title 1 of the National Industrial Recovery Act aforesaid, and a copy thereof, including any conditions imposed by the President and any exceptions and exemptions from the provisions thereof, approved by the President, and duly certified or otherwise exemplified by the President, or such officer or agency as the President has or shall designate for the purpose, shall be filed with the Governor, the previsions thereof shall be the standard of fair competition for such trade, or

industry or subdivision thereof, and for all persons engaged therein in this state, as regards intrastate commerce therein, and whether or not affecting interstate or foreign commerce, and such code or codes when so approved and with such conditions, exceptions, and exemptions, and any action taken on compliance therewith shall be lawful.

(b) In case any code or codes of fair competition agreed upon pursuant to paragraph (a) of this section shall affect intrastate commerce in this State only, and not be subject to the approval of the President by virtue of Section 3 (a) of Title 1 of the National Industrial Recovery Act, as in said paragraph set forth, then and in such case, upon the application to the Governor by one or more State trade or industrial associations or groups, the Governor may approve any such code or codes of fair competition in intrastate commerce in this State for the trade or industry or subdivision thereof, represented by the applicant or applicants, if the Governor finds:

(1) That such association or groups impose no inequitable restrictions on admission to membership therein, and are truly representative of such trades or industries or subdivision thereof;

(2) That such code or codes are consistent with any like code or codes approved or prescribed by the President, pursuant to Title 1 of the National Industrial Recovery Act aforesaid, for trades, industries or subdivisions thereof carrying on business in this State, due regard, however, being had for local conditions and local customs; and

(3) That such code or codes are not designated to promote monopolies or eliminate or suppress small enterprises, and will not operate to discriminate against them, and will tend to effectuate the policy of this act. The Governor may, as a condition of his approval of any such code, impose such conditions (including requirements for the making of reports and the keeping of accounts) for the protection of con-

sumers, competitors, employees and others, and in furtherance of the public interest, and may provide such exceptions to and exemptions from the provisions of such code, as the Governor in his discretion deems necessary to effectuate the policy of this act. If the Governor shall find that any such code affects the services and welfare of persons engaged in other steps of the economic process, he shall, before approving the same, afford to such persons an opportunity to be heard.

No trade or industrial association or group shall be eligible to receive the benefit of the provisions of this paragraph until it files with the Governor a statement containing such information relating to the activities of the association or group as the Governor shall by regulation prescribe. The Governor is authorized to prescribe rules and regulations designed to insure that any organization availing itself of the benefits of this paragraph shall be truly representative of the trade or industry, or subdivision thereof, represented by such organization. Any organization violating any such rule or regulation shall cease to be entitled to the benefits of this paragraph.

The provisions of any code of fair competition in intrastate commerce approved by the Governor pursuant to paragraph (b) of this section, for any trade, industry or subdivision thereof, shall, to the extent not inconsistent with any lawful action of the President pursuant to any provision of Title 1 of the National Industrial Recovery Act aforesaid, whether taken prior to the approval of such code by the Governor, or thereafter, be the standards of fair competition for such trade, or industry, or subdivision thereof, and for all persons engaged therein in intrastate commerce in this State; and such code or codes, when so approved, and with such conditions, exceptions and exemptions as the Governor is authorized to make therein by virtue of paragraph (b) of this section, and any action taken in compliance therewith, shall be

lawful, anything in the common or statute law of this State with respect to contracts in restraint of trade or commerce, or of competition, to the contrary notwithstanding.

(c) For any persons engaged in any trade or business or subdivision thereof, for which the President of the United States has or shall prescribe and approve a code of fair competition by virtue of paragraph (d) of Section 3 of Title 1 of the National Industrial Recovery act to take any action in this State, whether affecting interstate or foreign commerce, or affecting intrastate commerce only, to comply with the provisions of any such code.

(d) Upon his own motion, or if complaint is made to the Governor that abuses inimical to the public interest and contrary to the policy herein declared are prevalent in any trade or industry, or subdivision thereof, and if no code of fair competition therefor has been theretofore approved by the President of the United States, the Governor, after such public notice and hearing as he shall specify, may prescribe and approve a code of fair competition in intrastate commerce for such trade or industry or subdivision thereof, which shall have the same effect as a code of fair competition approved by the Governor under subsection (b) of this section.

§ 4. Every code of fair competition, approved or prescribed, and every agreement entered into under this act, shall contain the following conditions:

(1) That employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection;

(2) That no employee and no one seeking employment shall be required as a condition of employment to join any

company union or to refrain from joining, organizing or assisting a labor organization of his own choosing; and

(3) That employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment, approved or prescribed by the Governor.

For the purpose of carrying out the requirements of this section, the Governor may investigate the labor practices, policies, wages, hours of labor, and conditions of employment in any such trade or industry, or subdivision thereof, and in any region or locality of this State. Such codes may differentiate according to experience and skill of the employees affected and according to the locality of employment; but no attempt shall be made to introduce any classification according to the nature of work involved which might tend to set a maxmimum as well as a minimum wage.

§ 5. Any code of fair competition approved by the President and filed as provided in section three of this act, any code approved by the Governor as therein provided, any such code prescribed by the President or by the Governor as therein provided, shall be binding upon all persons engaged in any trade, industry or pursuit, or subdivision thereof affected thereby, and the provisions of any such code or agreement shall be the standards of fair competition for such trade or industry or pursuit, or subdivision thereof Whoever violates any provisions of any such code or agreement in any transaction in intrastate commerce, whether a participant in the formation thereof, or a party thereto, or not, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $500.00 for each offense, and each day such violation continues shall be deemed a separate offense.

Any person who, either as director, officer or agent of any firm or corporation or as agent of any person, who shall be guilty of the violation of any of the provisions of this act, or who assists or aids directly or indirectly in such violation,

shall be guilty to the same extent as the person, firm or corporation for whom or which he acts.

§ 6. The Circuit Courts of this State, within their respective districts, are hereby vested with jurisdiction and discretionary power, at the suit of the Attorney General, or by any person or trade association in interest, to prevent and restrain violations of any code of fair competition approved by the President and filed as provided in section three of this act, or by the Governor as therein provided, upon petition duly filed. The approval of any such code by the President, and filed as provided in section three of this act, or the approval of the Governor as therein provided, shall be *prima facie* evidence of the reasonableness and fairness of the provisions thereof. Nothing in this section contained, however, shall in any wise affect the criminal liability for violations of such codes, agreements, licenses, rules or regulations.

§ 7. Whenever the Governor shall find that destructive wage or price cutting or other activities contrary to the policy of this act are being practiced in any trade or industry or any subdivision thereof, carried on in this State, and, after such public notice and hearing as he shall specify, shall find it essential to license business enterprises in order to make effective a code of fair competition under this act, or otherwise to effectuate the policy of this act, and shall publicly so announce, no person shall, after a date fixed in such announcement, engage in or carry on any business, in or affecting intrastate commerce, specified in such announcement, unless he shall have first obtained a license issued pursuant to such regulations as the Governor shall prescribe.

The Governor may sustain or revoke any such license after due notice and opportunity for hearing, for violations of the terms or conditions thereof. Any order of the Governor sustaining or revoking any such license shall be final if in accordance with law. Any person who without such a license or in violation of any condition thereof, carries on any such

business for which a license is so required, shall, upon conviction thereof, be fined not more than $500.00 or imprisoned not more than six months, or both, and each day such violation continues shall be deemed a separate offense.

§ 8. Nothing in this act, and no regulation thereunder, shall prevent an individual from pursuing the vocation of manual labor and selling or trading the products thereof; nor shall anything in this act, or regulation thereunder, prevent anyone from marketing or trading the produce of his farm.

No legal remedy against or method of review of any of the acts, determinations, decisions or judgments of the Governor pursuant to the provisions hereof shall be allowed, issued or permitted after twenty days from the date of any such act, determination, decision or judgment.

This act shall take effect immediately and shall cease to exist on June sixteenth, one thousand nine hundred and thirty-five, unless the duration of the National Industrial Recovery Act aforesaid shall be extended by Act of Congress to a date beyond June sixteenth, one thousand, nine hundred and thirty-five, then upon such date this act shall cease to exist, or sooner, if the Governor shall by proclamation, or the Legislature by joint resolution, declare that the emergency recognized has ended.

§ 9. If any part or parts of this act shall be held to be invalid or unconstitutional, the validity of the other parts hereof shall not thereby be affected or impaired.

§ 10. If any provision of this act, or the application thereof, to any person or circumstances, is held invalid, the remainder of the act, and the application of such provision to other persons or circumstances shall not be affected thereby.

§ 11. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public welfare, peace, health and safety. The reason for

such necessity lies in the fact that an acute economic emergency prevails throughout the United States and in this state, and is productive of widespread unemployment and disorganization of industry.

This act may be cited as the "Kentucky Industrial Recovery Act."

Said Substitute is as follows, viz.:

H. Sub. 148. An Act to encourage State and National industrial recovery by cooperating with the National Government in fostering fair competition and for other purposes; providing the penalties for the violation of this Act and vesting jurisdiction in circuit courts for civil and criminal prosecutions arising out of this Act.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. A state-wide emergency productive of widespread unemployment and disorganization of industry, which burdens commerce, affects the public welfare, and undermines the standards of living of the people of this state is hereby declared to exist, and it is hereby recognized that such an emergency exists throughout the nation. It is hereby declared to be the policy of this state to remove obstructions to the free flow of commerce which tend to diminish the amount thereof; and to provide for the general welfare by cooperating with and assisting the national government in promoting the organization of industry for the purpose of cooperative action among trade groups, to induce and maintain united action of labor and management under adequate governmental sanctions and supervision, to eliminate unfair competitive practices, to promote the fullest possible utilization of the present productive capacity of industry, to avoid undue restriction of production (except as may be temporarily required), to increase the consumption of industrial

and agricultural products by increasing purchasing power to reduce and relieve unemployment, to improve standards of labor, and otherwise to rehabilitate industry and conserve natural resources, and otherwise as announced in the Act of Congress entitled: "An Act to encourage national industrial recovery, to foster fair competition, and to provide for the construction of certain useful public works, and for other purposes" approved June 16, 1933, and hereinafter referred to as the National Industrial Recovery Act.

§ 2. To effectuate the policy of this Act, the Governor is hereby authorized to consent to the President of the United States utilizing State and local officers and employees in effectuating the policies of the National Industrial Recovery Act in accordance with the provisions of Section 2 (a) of that Act.

§ 3. (a) No person shall refrain from complying with the provisions of any code of fair competition which has been or may be approved pursuant to the National Industrial Recovery Act, or of any agreement which has been or may be entered into pursuant to Section 4 (a) of Title I of said Act, or of any announcement and regulations providing for the licensing of business enterprises, which has been or may be issued pursuant to said Act, on the ground that he is not engaged in transactions in or affecting intrastate or foreign commerce.

§ 3. (b) The terms and conditions of any code of fair competition which has been or may be approved pursuant to the terms of the National Industrial Recovery Act, and of any announcement and regulations for the licensing of business enterprises which have been or may be issued pursuant to the terms of said act for any trade or industry or subdivision thereof, shall be the standards of fair competition for such trade or industry or subdivision thereof in all its transactions within this state not in or affecting interstate or foreign commerce. The terms and conditions of any agreement which

has been or may be entered into pursuant to Section 4 (a) of Title I of said Act shall be the standards of fair competition for the person or persons entering into such agreement, in all transactions within this state, not in or affecting interstate or foreign commerce. The violation within this state of any standard of fair competition shall be deemed an unfair method of competition and illegal.

§ 4. (a) When a code of fair competition has been approved pursuant to the terms of the National Industrial Recovery Act, or any agreement has been entered into pursuant to Section 4 (a) of Title I of said Act, any violation of any provision of such code or agreement with this state, whether or not in a transaction in or affecting interstate or foreign commerce, shall be a misdemeanor and upon conviction thereof an offender shall be fined not more than five hundred dollars ($500.00) for each offense, and each day such violation continues shall be deemed a separate offense.

§ 4. (b) Any person who, without a license issued pursuant to the terms of the National Industrial Recovery Act or in violation of any condition of such license, carries on any business in this state for which a license shall be required by announcement and regulations as provided for in the National Industrial Recovery Act, whether or not such business is in or affects interstate or foreign commerce, shall upon conviction thereof be fined not more than five hundred dollars ($500.00), or imprisoned not more than six months, or both, and each day such violation continues shall be deemed a separate offense.

§ 4. (c) Any person subject to and complying with the terms and conditions of any code of fair competition which has been or may be approved pursuant to the terms of the National Industrial Recovery Act, or of any agreement which has been or may be entered into pursuant to Section 4 (a) of Title I of said Act, or of any announcement and regulations for the licensing of business enterprises which have

been or may be issued pursuant to said Act, for any trade or industry or subdivision thereof within this state, or any Commonwealth's attorney of this state, may institute a suit to prevent and restrain any violation of any provision thereof within this state, whether or not in a transaction in or affecting interstate or foreign commerce. The circuit courts of this state are hereby invested with jurisdiction to entertain such suits.

§ 5. While this Act is in effect (or in the case of a license, while Section 4 (b) of Title I of the National Industrial Recovery Act is in effect) and for sixty days thereafter, any code of fair competition which has been or may be approved pursuant to the terms of the National Industrial Recovery Act, and any agreement which has been or may be entered into pursuant to Section 4 (a) of Title I of said Act, and any license which has been or may be issued pursuant to the terms of said Act, and any action taken during such period complying with the provisions of any such code, agreement or license (including the acts of any person or persons interested in any trade or industry or subdivision thereof in meeting, conferring or agreeing upon any code of fair competition or agreement), or with the provision of this Act, shall be exempt from the provisions of the anti-trust laws of this, or any court order or decree issued thereunder, whether or not the trade or industry or subdivision thereof subject to such code, agreement, or license, or the action complying with such code, agreement, or license is in or affects interstate or foreign commerce.

§ 6. In furtherance of the purposes and policies of this Act and of National Industrial Recovery Act, any department of this state and governing body of any subdivision, municipal corporation or district and any public officer or person charged with the letting of contracts for (1) the construction, alteration or repair of public works or (2) the purchasing of materials or supplies for public use, shall let such contracts

only to those persons who agree in and by the terms of such contracts to use or supply only articles, materials and supplies mined, prduced, manufactured or supplied by a person who has agreed to the terms of a code of fair competition approved pursuant to the terms of the National Industrial Recovery Act in every case where such a code has been approved pursuant to the terms of said Act, for such trade or industry or subdivision thereof, and who is duly licensed to carry on such business pursuant to the terms of said Act, if a license is required by announcement and regulations issued pursuant to said Act for the carrying on of such business, or by a person who has entered into an agreement pursuant to Section 4 (a) of Title I of said Act in case he is not subject to a code of fair competition approved pursuant to the National Industrial Recovery Act. Any practices in violation of such terms of such contracts shall be deemed the use of unfair methods of competition and illegal. Agreement to the terms of a code may be evidenced in writing in such manner as prescribed for evidencing adherence or as sent to a code, by the National Recovery Administration pursuant to the National Industrial Recovery Act.

§ 7. The provisions of this act shall not be held to apply to persons, firms, or corporations engaged only locally in retail trade, or in local service industries (and not in a business in or affecting interstate commerce), who do not employ more than five persons and who are located in towns of less than 2.500 population, according to the 1930 Federal census, excepting that this shall not exempt those industries specifically regulated or which may be regulated in such areas by the National Industrial Recovery Act or under its provisions. This exemption is intended to relieve small enterprises in small towns from fixed obligations, which might impose exceptional hardships, and to prevent commodity prices from increasing, by reason of increased costs, caused by compliance

with approved codes of fair competition, more rapidly than the prices of agricultural products increase.

§ 8. This Act shall cease to be in effect on June 16, 1935, or sooner, if, as provided in Section 2 (c) of Title I of the National Industrial Recovery Act, the President shall by proclamation or the Congress shall by joint resolution declare that the national emergency recognized by the National Industrial Recovery Act has ended.

§ 9. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

§ 10. A code of fair competition approved pursuant to the National Industrial Recovery Act, an agreement entered into pursuant to Section 4 (a) of Title I of said Act, and announcement and regulations for licensing of business enterprises issued pursuant to the terms of the National Industrial Recovery Act, as used in this Act, shall be deemed to include all supplements, amendments, modifications, exemptions and exceptions to such code, agreement, or announcement and regulations, which shall have become effective pursuant to the terms of the National Industrial Recovery Act.

§ 11. As used in this Act, the term "person" includes any individual, partnership, association, trust, or corporation; and the terms "interstate and foreign commerce" and "interstate or foreign commerce" include, except where otherwise indicated, trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation, or within the District of

Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States.

§ 12. This Act is hereby declared to be an urgent emergency measure necessary for the immediate preservation of the general welfare of the people of the state and shall, therefore, go into effect immediately to promote cooperation with the national government in the enforcement of the National Industrial Recovery Act.

§ 13. This Act may be known and cited as the State Industrial Recovery Act.

Said Substitute was then adopted.

Mr. Myers offered the following amendment to said Substitute, viz.:

Substitute for House Bill 148. Amend by inserting before paragraph 5, Section 4: (d) Any agreement entered into with or approved by the President under the provisions of the National Industrial Recovery Act may be approved by the Governor after such reasonable notice and hearing as he shall prescribe, as a Code (or part of, or supplement to a Code) of fair competition for the trade or industry, or subdivision thereof, to which such agreement relates. The violation within this State of any provision of such Code (or part of, or supplement to, a Code) of fair competition shall be deemed an unfair method of competition in violation of this Act, constituting a misdemeanor, and upon conviction thereof, an offender shall be fined not more than Five Hundred Dollars ($500.00) for each offense. Each day such violation continues shall be deemed a separate offense. The several circuit courts of this State are hereby invested with jurisdiction to prevent and restrain such violations upon complaint of any District Attorney of this State or of any person subject to and complying with terms and conditions of any agreement which has been approved by the Governor as a Code (or as a part

of, or supplement to, a Code) fair competition as provided this Section.

Section 4. (e) To effectuate the policy of this Act the Governor is hereby authorized to establish such agencies, to accept and utilize such voluntary and uncompensated services, to appoint such officers an employees and to utilize such State officers and employees and, with the consent of the United States to utilize such Federal officers and employees, as he may find necessary, to prescribe their authorities, duties, responsibilities, and tenure, and to fix compensation of any officers and employees appointed.

Mr. Harmon raised the point of order that said amendment was not in order, inasmuch as a Substitute, having been adopted by the House, cannot be further amended.

The Speaker declared the point of order as raised by Mr. Harmon, well taken.

Thereupon Mr. Gnau moved that the vote by which said Substitute was adopted be reconsidered.

Said motion was agreed to.

Thereafter such reconsideration, the amendment as offered by Mr. Myers was agreed to.

Said Substitute was then adopted, as amended.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	L. J. Gammon	James B. Milliken
Carroll D. Asbury	Ferd A. Gnau	Tyler Munford
Harold L. Barnes	C. Gottschalk	Rodes K. Myers
Robert E. Beatty	W. Yancey Handy	Richard H. Nufer
B. F. Bedford	J. Joseph Hettinger	James I. Peters
Wm. B. Belknap	Dr. A. L. Hill	M. D. Phelps
O. J. Bowen	John R. Hobbs	Steve Pieratt
Wallace Brown	G. W. Howard	Kleber F. Price
Hugh K. Bullitt	Ira W. Hulette	G. M. Pritchett
Mrs. Cecil Cantrill	G. C. Johnson	Pat Rankin
J. A. Coleman	T. M. Johnson	Waylon Rayburn
Sidney J. Collins	F. P. Kessee	W. P. Renfro
D. B. Coughlin	Leo King	L. D. Sandlin
Joel T. Crenshaw	John Kirtley	Jos. W. Schneider
Carroll L. Cropper	Alden L. Love	Mrs. M. B. Scott
G. Cunningham	M. T. McCarthy	Lyle C. Tackett
W. J. Curtis	George R. McIntosh	Harry B. Thornton
R. A. Demunbrun	Herschel McKinley	J. Sterling Towles
S. S. Dickson	Roy McWaters	Starling B. Tracy
George Dunlap	C. C. May	Henry T. Ward
Rudy Ferguson	J. S. Mattingly	Robert E. Webb
T. P. Fitzpatrick	L. B. Meadors	J. B. Wicker
Kelly J. Francis	G. Samuel Milam	—68

Those who voted in the negative were—

Reuben J. Boling	R. M. Harrison, Jr.	John W. Taylor
Corbett Brown	J. H. King	Elmore J. Thomas
J. S. Hall	Glenn W. Lane	
Frank Harris	Avery Sartin	—10

Mr. Myers offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 148 by adding at end of title after the word "Act", "and declaring an emergency to exist".

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Gnau moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Rayburn moved that the privilege of the floor be extended to Mr. R. T. Jones and George Hart of Murray, Kentucky.

Said motion was agreed to.

Mr. Love of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills which originated in this House, entitled:

H. B. 329. An Act authorizing the State Board of Health to hold title to certain real estate and sell and convey same.

H. B. 284. An Act fixing the salaries of deputy sheriffs and deputy clerks in counties containing cities of population of 75,000 to 200,000.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker, in open session and in the presence of the House affixed his signature thereto.

Ordered that the Enrolling Clerk of this House deliver said bills to the Senate.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 102. An Act to amend Section 18 of an Act entitled: "An Act relating to the creation of water districts in counties of the State, and providing for the establishment, construction, or purchase of a water system, for the purpose of furnishing water to the inhabitants thereof; prescribing the methods of expenditure, the assessment and collection of costs and expenses thereof; providing for the appointment of commissioners and prescribing their duties and providing for the payment of officers and employees. The issuing and selling of district bonds with which to secure funds to defray the costs and expenses of any such improvements, repealing an Act entitled an Act "Relating to the Creation of Water Districts, etc., approved March 27th, 1926, being Chapter 139 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1926, and the amendment thereto approved March 20th, 1928, being Chapter 8 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1928, and further providing for correcting errors in assessments made under the provisions of this Act," which was passed by the General Assembly of the Commonwealth of Kentucky and approved by the Governor March 26th, 1930.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 18 of an Act entitled: "An Act relating to the creation of water districts in counties of the State, and providing for the establishment, construction, or purchase of a water system, for the purpose of furnishing water

to the inhabitants thereof; prescribing the methods of expenditure, the assessment and collection of costs and expenses thereof; providing for the appointment of commisioners and prescribing their duties and providing for the payment of officers and employees. The issuing and selling of district bonds with which to secure funds to defray the costs and expenses of any such improvements; repealing an Act entitled: An Act "relating to the creation of water districts, etc.," approved March 27th, 1926, being Chapter 139 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1926, and the amendments thereto approved March 20th, 1928, being Chapter 8 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1928, and further providing for correcting errors in assessments made under the provisions of this Act," which was passed by the General Assembly of the Commonwealth of Kentucky and approved by the Governor, March 26th, 1930, be and the same is hereby amended and re-enacted so that the same when amended and re-enacted shall read as follows:

Section 938G-18. *Assessment Roll as Evidence; Enforcement of Liens; Venues; Proceedings; Costs, Duty and Compensation of County Attorney.*—The aforesaid assessment roll, or tax book of the district as made up by the board of water commissioners shall be *prima facie* evidence in all courts that all steps necessary to be taken hereunder have been duly and properly taken, and that all proceedings are regular and valid. The liens established and declared in preceding sections may be enforced by an action in the circuit court without regard to the amount of the claim at any time after January 1st, of the year for which said taxes were levied at which last named date all unpaid taxes shall become delinquent. The suit shall be brought by the board of water commissioners against the land or lands, property or properties on which such water tax has not been paid. The suit shall be brought in the county in which the property is situated. The

pleadings, process, proceedings, practice and sales, in cases arising under this section shall, except as herein provided, be the same as in actions for the enforcement of other liens, but the right to institute such actions shall in no wise prevent sales by the sheriff or collecting officer, as in cases of delinquent state and county revenue. In all suits said delinquent taxes and penalty shall also include all costs of suits, recovering the same as the delinquent tax and in the same suit. The proceedings of sales under and by virtue of this section shall be paid into the treasury of the district, and shall be accounted for by the treasurer.

The Board of Water Commissioners shall appoint a practicing attorney as legal adviser and attorney for said water district. Said attorney shall be the legal adviser of said Board of Water Commissioners, and shall file and attend to all suits for collection of water assessments, for collection of lateral assessments, claims for water furnished and all other legal business connected with said Board. The said water commissioners shall make him an allowance of not to exceed Five Hundred Dollars annually for his services and said salary is to be paid out of the Water District Fund.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harold L. Barnes	B. F. Bedford
Carroll D. Asbury	Marshall Barnes	O. J. Bowen
Levi Baker	Robert E. Beatty	Corbett Brown

Wallace Brown	Frank Harris	H. H. Miller
Mrs. Cecil Cantrill	R. M. Harrison, Jr.	W. H. Miller
J. A. Coleman	J. Joseph Hettinger	James B. Milliken
Sidney J. Collins	Dr. A. L. Hill	Tyler Munford
D. B. Coughlin	John R. Hobbs	M. D. Phelps
Joel T. Crenshaw	G. W. Howard	Steve Pieratt
G. Cunningham	Ira W. Hulette	Kleber F. Price
W. J. Curtis	G. C. Johnson	W. P. Renfro
Harry Davis	T. M. Johnson	L. D. Sandlin
R. A. Demunbrun	F. P. Kessee	Avery Sartin
George Dunlap	J. H. King	Jos. W. Schneider
Garland Embry	W. L. Knuckles, Jr.	Mrs. M. B. Scott
Rudy Ferguson	Glenn W. Lane	Lyle C. Tackett
T. P. Fitzpatrick	Alden L. Love	Elmore J. Thomas
Kelly J. Francis	M. T. McCarthy	J. Sterling Towles
L. J. Gammon	George R. McIntosh	Starling B. Tracy
W. J. Garnett	Herschel McKinley	Robert E. Webb
C. Gottschalk	C. C. McMasters	J. B. Wicker
J. S. Hall	C. C. May	B. M. Williams
W. Yancey Handy	J. S. Mattingly	
Judson Harmon	G. Samuel Milam	—70

There voted in the negative—

Jas. C. Bright —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in this House, entitled:

H. B. 318. An Act to amend and re-enact Section 2625

of the Kentucky Statutes, compiled by the Hon. John D. Carroll, pertaining to druggists.

With amendments thereto, as offered by the Senate.

H. B. 237. An Act to amend and re-enact Section 2738j-78; Section 2739j-91 and Section 2739j-94 of Carroll's Kentucky Statutes, Baldwin's Revision of 1933, which sections are part of Chapter No. 104, of an act authorizing, regulating and governing, etc.

With amendments thereto as offered by the Senate.

H. B. 125. An Act to amend and re-enact Section 18 of chapter 17 of the Acts of the General Assembly at its 1932, session, approved March 24, 1932, and to repeal chapter 16, of the Acts of the General Assembly, etc.

With amendments thereto as offered by the Senate.

And that they had passed bills which originated in that body, entitled:

S. B. 249. An Act providing for an adequate, unified, and integrated system of financial and business administration for the State government, etc.

S. B. 217. An Act repealing and re-enacting Section 2739g-62 Carroll's Kentucky Statutes, 1930, Edition, fixing the duties of the County Court Clerks in all counties of the Commonwealth, relating to the registration of motor vehicles, etc.

S. B. 312. An Act to amend and re-enact Section 3953a-1, and 3953a-4, Kentucky Statutes, 1930 Edition, relating to Superintendent of Public Printing, etc.

S. B. 110. An Act to amend and re-enact Section 4114 i-13, Kentucky Statutes, 1930 Edition, pertaining to the State Tax Commission.

S. R. 51. Resolution requesting the Governor to declare a day in June as "State Park Day."

Ordered that said bills which originated in the Senate be printed and referred to Committee on Rules.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 555. An Act relating to the fiscal administration of counties; providing for a uniform budget system in each county of the Commonwealth of Kentucky, for the administration of the fiscal affairs of the counties; prescribing the duties of the county judge, county court clerk, county treasurer, county attorney and other officers with reference thereto; creating a county budget commission, and prescribing its duties; providing for the submission to and examination by the State Inspector and Examiner of budget reports covering every proposed budget of each county government, and for review thereof by him; prohibiting the levying of taxes, the incurring of obligations, and the authorizing of expenditures except in accordance with the appropriations provided by such budget's authorizing appropriations for contingent purposes and transfers between appropriations; declaring of no effect all tax levies and indebtedness incurred in contravention of the act; fixing liability for any expenditure or obligation so made or incurred; prohibiting disbursements except by warrants under appropriations against cash actually available; repealing Chapter 24 of the Acts of the 1932 General Assembly.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The fiscal affairs of each county of the Commonwealth of Kentucky shall be administered by the fiscal court under a uniform budget system. The county budget shall provide for all funds to be expended by the county from current revenue for each fiscal year. For the purposes of this Act, the State budget officer shall classify the several counties upon the basis of their populations and expenditures or upon some other proper basis.

§ 2. County budget commission; appointment; terms of office; qualifications.

There is hereby created in each county of the Commonwealth of Kentucky a county budget commission. The county budget commission shall be composed of the County Judge, County Attorney and one member appointed by the fiscal court by an order entered on the county court order book. The appointive member shall be at least thirty years of age, a citizen, resident and taxpayer of the county. He shall not hold any other public office at the time of appointment nor for a period of at least two years prior to this appointment, but shall be eligible for re-appointment to this office. The term of his office shall be the same as the terms of office of the members of the fiscal court making the appointment.

§ 3. Duties of the commission; general budget funds. It shall be the duty of the county budget commission to make a detailed investigation of each separate activity of the county for which county funds are to be expended by the fiscal court. For the purpose of maintaining a uniform system all expenditures shall be classified into budget units including:

(1) General expenses of county government
(2) Protection to persons and property
(3) General health and sanitation
(4) Highways and bridges
(5) Charities, hospitals, infirmaries, and corrections

(6) Educational
(7) Recreational
(8) New property and improvements
(9) Interest and debt payments
(10) Miscellaneous and contingent.

Each county budget commission shall adopt such budget units as may be required by the activities of the county, and, when necessary may sub-divide the various budget units into separate budget funds so that the cost of each class of expenditures can be ascertained at any time and regulated by the commission according to the financial conditions and the needs of the county.

The funds set apart in the county budget for a budget unit, or any subdivision thereof, shall constitute a separate budget fund and shall be appropriated and accounted for separately.

The county budget commission in addition to preparing a reasonable estimate of the funds actually needed for both general and special purposes shall prepare an estimated statement of receipts to be anticipated from the various sources of income.

§ 4. Director of budgets.—The State Inspector and Examiner shall have full power and authority to supervise and direct the form and classification of all budgets. It shall be his duty to approve all budgets, forms and classifications and he shall have power to change any form or classification submitted to him before making such approval.

Not less than twenty days before the time for adoption of the county budget the County Judge, as chairman of the county budget commission, shall transmit two copies of the proposed budget, including statements of both anticipated receipts and expenditures by budget funds, to the State Inspector and Examiner for approval as to form and classification. If the State Inspector and Examiner finds the proposed budget to be uniform with the budgets of other coun-

ties of like class in classification of units and adequate for the purposes of this Act, he shall approve said classification, returning the original copy to the County Judge and retaining the duplicate copy as part of the records of his office. If the proposed budget is not uniform with the budgets of other counties in classification of units he shall make such changes as he may deem necessary for the purpose of establishing uniformity. The county budget commission shall use the form approved or furnished by the State Inspector and Examiner and shall have no power or authority to use any other form or to make any changes therein, unless authorized by the State Inspector and Examiner.

§ 5. All proposed county budgets, adopted by the county budget commission and approved by the State Inspector and Examiner as to form and classification shall be submitted to the fiscal court at the time fixed for the adoption of the county levy and budget for approval or rejection. The commission shall post or cause to be posted in a conspicuous place in the court house near the front door a copy of the proposed budget for at least ten days preceeding the time of final approval by the fiscal court and published in a newspaper of general circulation in the county at least ten days before final approval.

In case the fiscal court shall reject any part of the proposed budget, then the fiscal court itself shall make such changes in the nature and amount of funds as will meet the approval of a majority of the court. The fiscal court shall have no power or authority to make any change in the form or classification of the budget units or sub-divisions thereof as approved by the State Inspector and Examiner.

Any taxpayer or group of taxpayers shall have the right to petition the fiscal court in respect to the budget or any part thereof before final approval.

§ 6. The Budget.—The county budget as approved and adopted shall provide for all funds to be expended by the

county from the current revenue for the fiscal year for which the budget is adopted and any appropriation or claim allowed by the fiscal court in excess of any budget fund shall be null and void and shall be construed as a violation of this Act by each member of the fiscal court so voting for said illegal appropriation or claim.

The fiscal court with the approval of the commission shall have power and authority to transfer money from one budget fund to another in order to provide for emergencies but the order of the court approving such transfer shall show the nature of the emergency and the reason for making such transfer. The fiscal court itself shall have no power to make such transfer without approval by the commission. Neither the court nor the commission shall have any power or authority to transfer any monies from any sinking fund or special funds raised for a specific purpose until the obligations or purposes for which said funds were raised have been satisfied.

§ 7. Budget Records.—In addition to the usual records of the fiscal court, the clerk of the fiscal court shall keep an appropriation ledger, either in loose leaf or bound form, containing separate accounts for each budget fund. Each separate account shall show in detail the amount of the original appropriation, any and all transfers to or from the budget fund, all expenditures, either in the form of county warrants, contracts or otherwise, duly approved by the fiscal court and properly chargeable to the fund, together with the unencumbered balance remaining in the fund.

The appropriation ledger, the county treasurer's books and all fiscal court orders relating thereto or relating to claims of any nature shall be open for inspection to any taxpayer at all reasonable times. It shall be the duty of the State Inspector and Examiner when making the usual audit of the records of the county officials to examine the budget records and to make such investigations as may be necessary

to determine the status or condition of the financial affairs of the county. If he shall find that any county officer, or any member of the commission is willfully violating or neglecting his duties under the provisions of this Act, he shall have the authority to institute legal proceedings in the Franklin Circuit Court to enforce compliance with the law. As state budget officer it shall be his duty to cooperate with the commission and the clerk of the fiscal court in establishing and maintaining an efficient and economical control of the fiscal affairs of the county.

§ 8. Quarterly Statements.—At the end of each three months period a statement showing actual receipts to date from the various budget sources and a statement showing the total appropriations to budget funds, the total expenditures to date therefrom, and the balance in the fund shall be posted by the County Judge in a conspicuous place in the court house near the front door for at least ten consecutive days.

§ 9. Claim Procedure.—All orders of the fiscal court approving claims shall designate the budget fund from which each claim must be paid and each county warrant shall show in written form the budget unit from which it is to be paid.

§ 10. Treasurer's Statements.—The County Treasurer shall file with the clerk of the fiscal court a monthly statement containing a list of warrants paid by him during the month and showing all cash receipts, the cash balance at the beginning and the close of the month and certify that each warrant or contract is within the budget appropriation; otherwise, any such warrant or contract shall be null and void.

§ 11. Penalties for Violation.—Any county officer or any member of the commission willfully violating the provisions of the Act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in any sum not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00). In addition the county treasurer shall be liable on his official bond for the amount of any county warrant will-

fully or negligently signed or countersigned by him under the provisions of this act in excess of the budget fund out of which said warrant is payable.

§ 12. It is declared to be the legislative intent to enact each clause, paragraph, and section of this act separately and if any clause, paragraph, or section should be declared invalid the invalidity of such clause, paragraph, or section shall not affect the remaining clauses, paragraphs, or sections.

§ 13. Chapter 24 of the Acts of the General Assembly of 1932, and all other laws and parts of laws in conflict with this act, are hereby repealed.

§ 14. This act shall take effect on the first day of July, 1934, with respect to the budget for the fiscal year beginning with the first day of July, 1935.

Mr. Milam offered the following amendments to said bill, viz.:

1. Amend (House Bill No. 555) by adding at the end of Section seven the following words:

"The Fiscal Court of any county shall have power and authority to anticipate the revenues of the county for the current fiscal year and borrow money upon the faith thereof, to meet the current expenses of the county as they accrue, or to pay off and discharge interest-bearing county warrants becoming due before sufficient revenues have accrued to pay off and discharge said interest-bearing warrants. All notes of the county issued under this section in excess of the budget fund from which they are payable shall null and void.

Notes under this section shall not be in the aggregate in excess of ninety per cent (90%) of the amount of the budget fund out of which they are payable, and the county treasurer shall be liable on his official bond for the amount of excess of any note of the county countersigned by him in excess of ninety per cent (90%) of the budget fund out of which said

note is payable. Any note issued in excess of ninety per cent (90%) of any budget fund of the county shall be null and void as to the county. All notes so issued shall be countersigned by the county treasurer.

It shall be the duty of the State Inspector and Examiner to install in each county of the Commonwealth for the administration of the fiscal affairs of the county under the provisions of this Act.

All books, receipts, blanks, records, county warrant book, budget forms, and all other forms required to be used by county officials in the administration of the fiscal affairs of the county under the provisions of this Act shall be provided and paid for by the county and approved by the State Inspector and Examiner in his capacity as supervisor of county budgets as to form and classification."

2. Amend (House Bill No. 555) by adding at the end of section six, line seventeen, the words:

"The county budget shall have a fund known as the 'Sinking Fund Principal Account' out of which the bonded indebtedness shall be paid and to which annually there shall be allocated a sum equal to the proportional yearly amount necessary to retire the bonds at maturity. There shall likewise be a fund in the budget known as the 'Sinking Fund Interest Account' to which there shall be allocated annually an amount equal to the interest on the bonded indebtedness maturing during the current budget year."

3. Amend (House Bill No. 555) by adding in line two, section three, after the word "commission" the words "at a meeting or meetings to be held not later than the first day of May each year."

4. Amend (House Bill No. 555) by adding in line five section five the words "and not later than July first each year" after the word "rejection."

Said amendments were each and severally agreed to.

Mr. McCarthy offered the following amendments to said bill, viz.:

Amend H. B. 555 by striking out in paragraph 3, line 12, the word "Educational".

Amend H. B. 555 by inserting in paragraph 1, line 2, following the word "Kentucky" and preceding the word "shall" the words "except those pertaining to education".

Said amendments were each agreed to.

Dr. Hill moved that said bill be laid on the Clerk's desk.

Mr. Francis moved that said bill be laid on the table.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Francis and Beatty, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Joel T. Crenshaw	George R. McIntosh
Carroll D. Asbury	R. A. Demunbrun	Herschel McKinley
Levi Baker	S. S. Dickson	C. C. McMasters
Harold L. Barnes	George Dunlap	J. S. Mattingly
Marshall Barnes	Garland Embry	H. H. Miller
Robert E. Beatty	Clarence E. Evans	Richard H. Nufer
Reuben J. Boling	Kelly J. Francis	Robert A. Persky
Jas. C. Bright	Frank Harris	M. D. Phelps
Corbett Brown	R. M. Harrison, Jr.	Steve Pieratt
Wallace Brown	John R. Hobbs	Kleber F. Price
Frank C. Bruton	Ira W. Hulette	G. M. Pritchett
J. A. Coleman	G. C. Johnson	Pat Rankin
Sidney J. Collins	J. H. King	W. P. Renfro
D. B. Coughlin	W. L. Knuckles, Jr.	L. D. Sandlin

Avery Sartin J. B. Wicker B. M. Williams
Harry B. Thornton —46

Those who voted in the negative were—

B. F. Bedford	W. Yancey Handy	W. H. Miller
Wm. B. Belknap	Judson Harmon	James B. Milliken
O. J. Bowen	J. Joseph Hettinger	Tyler Munford
Hugh K. Bullitt	Dr. A. L. Hill	Rodes K. Myers
Mrs. Cecil Cantrill	G. W. Howard	James I. Peters
Charles Chandler	T. M. Johnson	Waylon Rayburn
Carroll L. Cropper	F. P. Kessee	Lafe J. Spencer
G. Cunningham	Leo King	Lyle C. Tackett
W. J. Curtis	Glenn W. Lane	John W. Taylor
Rudy Ferguson	Alden L. Love	Elmore J. Thomas
L. J. Gammon	M. T. McCarthy	J. Sterling Towles
W. J. Garnett	Roy McWaters	Starling B. Tracy
Ralph Gilbert	C. C. May	Henry T. Ward
Ferd A. Gnau	L. B. Meadors	Robert E. Webb
C. Gottschalk	G. Samuel Milam	W. E. Rogers, Spr.
J. S. Hall	Clarence Miller	—47

The motion that said bill be laid on the Clerk's desk, as made by Dr. Hill, was then agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 346. An Act to secure the attendance of witnesses from without the State in criminal cases, and providing reciprocal rights of requiring the attendance of witnesses within this State to appear in criminal cases in States other than this State.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. If a judge of a court of record in any state which

by its laws has made provision for commanding persons within that state to attend and testify in criminal prosecutions in this state certifies under the seal of such court that there is a criminal prosecution pending in such court, that a person being within this state is a material witness in such prosecution, and that his presence will be required for a specified number of days, upon presentation of such certificate to the circuit judge or county judge of the county in which such person is, such judge shall fix a time and place for a hearing and shall notify the witness of such time and place.

If at the hearing the judge determines that the witness is material and necessary, that it will not cause undue hardship to the witness to be compelled to attend and testify in the prosecution in the other state, that the witness will not be compelled to travel more than one thousand miles to reach the place of trial by the ordinary traveled route, and that the laws of the state in which the prosecution is pending and of any other state through which the witness may be required to pass by ordinary course of travel will give to him protection from arrest and the service of civil and criminal process, he shall issue a subpoena, with a copy of the certificate attached, directing the witness to attend and testify in the court where the prosecution is pending at a time and place specified in the summons.

If the witness, who is subpoenaed as above provided, after being paid or tendered by some properly authorized person the sum of ten cents a mile for each mile by the ordinary traveled route to and from the court where the prosecution is pending and five dollars for each day that he is required to travel and attend as a witness, fails without good cause to attend and testify as directed in the subpoena, he shall be punished in the manner provided for the punishment of any witness who disobeys a subpoena issued from a court of record in this state.

§ 2. If a person in any state, which by its laws has made

provision for commanding persons within its borders to attend and testify in criminal prosecutions in this state is a material witness in a prosecution pending in any circuit court in this state, a judge of such court may issue a certificate under the seal of the court stating these facts and specifying the number of days the witness will be required. This certificate shall be presented to a judge of a court of record in the county in which the witness is found.

If the witness is summoned to attend and testify in the criminal prosecution in this state he shall be tendered the sum of ten cents a mile for each mile by the ordinary traveled route to and from the court where the prosecution is pending and five dollars for each day that he is required to travel and attend as a witness. A witness who has appeared in accordance with the provisions of the summons shall not be required to remain within this state a longer period of time than the period mentioned in the certificate.

§ 3. If a person comes into this state in obedience to a summons directing him to attend and testify in a criminal prosecution in this state, he shall not while in this state pursuant to such summons be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this state under the summons.

If a person passes through this state while going to another state in obedience to a summons to attend and testify in a criminal prosecution in that state or while returning therefrom, he shall not while so passing through this state be subject to arrest or the service of process, civil or criminal, in connection with matters which arose before his entrance into this state under the summons.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Levi Baker	Ferd A. Gnau	L. B. Meadors
Marshall Barnes	C. Gottschalk	H. H. Miller
B. F. Bedford	J. S. Hall	W. H. Miller
Reuben J. Boling	Frank Harris	James B. Milliken
O. J. Bowen	R. M. Harrison, Jr.	James I. Peters
Jas. C. Bright	J. Joseph Hettinger	M. D. Phelps
Wallace Brown	Dr. A. L. Hill	Steve Pieratt
Frank C. Bruton	John R. Hobbs	Kleber F. Price
Mrs. Cecil Cantrill	G. W. Howard	Pat Rankin
J. A. Coleman	Ira W. Hulette	Waylon Rayburn
D. B. Coughlin	T. M. Johnson	W. P. Renfro
Joel T. Crenshaw	Leo King	L. D. Sandlin
W. J. Curtis	John Kirtley	Avery Sartin
R. A. Demunbrun	W. L. Knuckles, Jr.	Jos. W. Schneider
Garland Embry	Glenn W. Lane	Mrs. M. B. Scott
Clarence E. Evans	Alden L. Love	Harry Sparks
Rudy Ferguson	M. T. McCarthy	Lafe J. Spencer
T. P. Fitzpatrick	Herschel McKinley	Starling B. Tracy
J. B. Floyd	C. C. McMasters	Henry T. Ward
Kelly J. Francis	Roy McWaters	Robert E. Webb
W. J. Garnett	C. C. May	B. M. Williams
Ralph Gilbert	J. S. Mattingly	—65

There voted in the negative—

G. C. Johnson —1

Resolved that the title thereof be as aforesaid.

Mr. Hettinger moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration the Orders of the Day, a bill entitled:

H. B. 95. An Act to amend Chapter 146 of the Acts of 1930, being Section 2150-a of the Kentucky Statutes, regulating sales of real estate belonging to infants and persons of unsound mind.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 146 of the Acts of 1930, being section 2150-a of the Kentucky Statutes, regulating sales of real estate belonging to infants and persons of unsound mind be amended and re-enacted, so that as amended and re-enacted the said section shall read as follows:

The guardian of an infant or the committee of a person of unsound mind may sell and convey any interest in real estate owned by his ward for such reasons and upon such terms and conditions as he shall deem for the best interest of said ward, provided, however, that no such sale shall be consummated until the same shall have been approved either in term time or in vacation by the judge of the Circuit Court in the County where the land or portion thereof is located in an equitable action filed by the guardian or committee against said infant, or person of unsound mind, the petition whereof shall set forth the reasons for the sale and the terms thereof and proof taken by depositions duly filed or on oral proof before the chancellor, which proof shall thereafter be transcribed and filed in the record of the case, which proof shall not be taken until after the appointment of a guardian ad litem for said infant or person of unsound mind, and which

proof shall be taken only on notice to said guardian ad litem, and which proof shall satisfy the chancellor that the sale is advisable and the price satisfactory and after said guardian ad litem shall have made a defense or shall have filed a report stating that after a careful examination of the case he is unable to make a defense; nor until the guardian or committee shall have executed bond with approval surety in an amount not less than the purchase price of the land in substance as follows:

"We ....., principal and ..... sureties, bind ourselves to ..... that the said..... as guardian or committee will faithfully discharge all his duties as such and will comply with the judgment and orders of the court in this action and will account for, pay and deliver to the said ..... all money or property due or belonging to him or her when requested"; nor until the chancellor has filed with the clerk of the court a written order approving the sale and bond, whether made in term time or in vacation, which order and bond shall be recorded by the clerk in the order book of the Court.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harold L. Barnes	Robert E. Beatty
Carroll D. Asbury	Marshall Barnes	B. F. Bedford

Reuben J. Boling	C. Gottschalk	Clarence Miller
O. J. Bowen	J. S. Hall	H. H. Miller
Jas. C. Bright	Judson Harmon	W. H. Miller
Corbett Brown	Frank Harris	James B. Milliken
Wallace Brown	R. M. Harrison, Jr.	Richard H. Nufer
Frank C. Bruton	Dr. A. L. Hill	James I. Peters
Mrs. Cecil Cantrill	John R. Hobbs	M. D. Phelps
J. A. Coleman	G. W. Howard	Steve Pieratt
D. B. Coughlin	Ira W. Hulette	Kleber F. Price
Joel T. Crenshaw	G. C. Johnson	Pat Rankin
W. J. Curtis	T. M. Johnson	W. P. Renfro
Harry Davis	Leo King	L. D. Sandlin
R. A. Demunbrun	W. L. Knuckles, Jr.	Avery Sartin
George Dunlap	Glenn W. Lane	Mrs. M. B. Scott
Garland Embry	Alden L. Love	Harry Sparks
Clarence E. Evans	M. T. McCarthy	Lafe J. Spencer
Rudy Ferguson	George R. McIntosh	Elmore J. Thomas
T. P. Fitzpatrick	Herschel McKinley	Harry B. Thornton
J. B. Floyd	C. C. McMasters	Henry T. Ward
Kelly J. Francis	Roy McWaters	Robert E. Webb
L. J. Gammon	C. C. May	B. M. Williams
W. J. Garnett	J. S. Mattingly	
Ralph Gilbert	L. B. Meadors	—73

Resolved that the title thereof be as aforesaid.

Mr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The Enrolling Clerk of this House delivered the original and enrolled copies of bills entitled:

H. B. 284. An Act to provide for the fixing of the salaries of deputy sheriffs, etc.

H. B. 329. An Act for the benefit of the State Tubercu-

losis Sanatorium and authorizing State Board of Health to hold title of certain real estate, etc.

Which were signed by the Speaker in open session and in the presence of the House on today, together with—

H. Res. 12. Resolution authorizing Luther Cooper, as guardian or next friend of Estel Cooper, to sue the Commonwealth.

H. B. 131. An Act to authorize cities of the 2nd class to establish and maintain colleges by levying a tax for school purposes in support thereof.

Which were signed by the Speaker in open session and in the presence of the House, on February 28, duly signed by the President of the Senate into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk of this House deliver said bills and resolution to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 432. An Act to repeal, amend and re-enact Section 1905-2, of Baldwin's Statutes, Carroll's 1930 Edition, relating to the license fees for the catching of mussels.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 1905-2 of Baldwin's Kentucky Statutes,

Carroll's 1930 Edition, be and the same is hereby repealed, amended and re-enacted so that when re-enacted it will read as follows:

The State Game and Fish Commission may, upon application, issue a license to take, catch or kill mussels. Upon making application for said license, the residents of this State shall pay to the State Game and Fish Commission a fee of $6.00 and non-residents shall pay to the State Game and Fish Commission a fee of $50.00. All such licenses shall expire on the 31st day of December following their issue.

The licenses shall be consecutively numbered as issued, and record shall be kept thereof in the office of the State Game and Fish Commission. Such licenses shall state whether it is a resident or non-resident license, and it shall entitle the holder thereof to operate one boat only.

An operator desiring to operate more than one boat shall be required to secure a separate license for each boat. The holder of a license while taking, catching or killing mussels for commercial purposes shall have his license with him ready for exhibition, and shall exhibit the same when required to do so by an authorized officer.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Marshall Barnes	Reuben J. Boling
Carroll D. Asbury	B. F. Bedford	O. J. Bowen
Harold L. Barnes	Wm. B. Belknap	Jas. C. Bright

Wallace Brown	Dr. A. L. Hill	James B. Milliken
Frank C. Bruton	John R. Hobbs	Richard H. Nufer
Mrs. Cecil Cantrill	G. W. Howard	James I. Peters
J. A. Coleman	Ira W. Hulette	M. D. Phelps
D. B. Coughlin	G. C. Johnson	Steve Pieratt
Joel T. Crenshaw	T. M. Johnson	Kleber F. Price
W. J. Curtis	Leo King	W. P. Renfro
Harry Davis	John Kirtley	L. D. Sandlin
R. A. Demunbrun	W. L. Knuckles, Jr.	Avery Sartin
Garland Embry	Glenn W. Lane	Jos. W. Schneider
Clarence E. Evans	Alden L. Love	Mrs. M. B. Scott
Rudy Ferguson	M. T. McCarthy	Harry Sparks
J. B. Floyd	Herschel McKinley	Lafe J. Spencer
Kelly J. Francis	C. C. McMasters	Lyle C. Tackett
L. J. Gammon	Roy McWaters	Elmore J. Thomas
W. J. Garnett	C. C. May	Harry B. Thornton
Ralph Gilbert	J. S. Mattingly	Starling B. Tracy
J. S. Hall	L. B. Meadors	Henry T. Ward
Judson Harmon	Clarence Miller	Robert E. Webb
Frank Harris	H. H. Miller	B. M. Williams
R. M. Harrison, Jr.	W. H. Miller	—71

Those who voted in the negative were—

George Dunlap Pat Rankin —2

Resolved that the title thereof be as aforesaid.

Mr. Love moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 21. An Act to amend paragraph one (1), Section 1938a, Chapter 57, Kentucky Statutes, Carroll's 1930 Edition,

relating to open season on quail or bobwhite, by changing the open season as hereinafter set out.

With a Committee amendment thereto by way of Substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Paragraph 1, Section 1938a, Chapter 57, Kentucky Statutes Carroll's 1930 Edition, relating to open season on quail or bobwhite, be amended by omitting therefrom the clause reading "the first day of January and the 14th day of November" and substituting therefor the following words: "the first day of February and the 24th day of November," so that said paragraph when so amended and re-enacted will read as follows:

Section 1938a, Paragraph 1. Quail or Bobwhite—When unlawful to catch or kill. No person shall between January 5th and the 23rd day of November, both days inclusive in any year, catch, kill, injure or pursue with such intent any quail or bobwhite, or have in possession any quail or bobwhite or any part of any quail or bobwhite dead or alive, no matter when or where caught or killed, whether caught or killed in this State or any other state, territory, country, or place except as hereinafter provided in Section 1958a-13 of this act.

§ 2. This Act shall take effect and be in force according to the provisions of the Constitution, and all laws or parts of laws in conflict herewith are hereby repealed.

Said Substitute is as follows, viz.:

An Act to amend Paragraph one (1), Section 1938a, Chapter 57, Kentucky Statutes, Carroll's 1930 Edition, relating to open season on Quail or Bobwhite, by changing the open season as hereinafter set out.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Paragraph 1, Section 1938a, Chapter 57, Kentucky Statutes, Carroll's 1930 Edition, relating to open season on Quail or Bobwhite, be amended by omitting therefrom the clause reading "the first day of January and the 14th day of November" and substituting therefor the following words: "the tenth day of January and the 23rd day of November", so that said paragraph when so amended and reenacted will read as follows:

Section 1938a, Paragraph 1. Quail or Bobwhite—When unlawful to catch or kill. No person shall between the 10th day of January and the 23rd day of November, both days inclusive, in any year, catch, kill, injure or pursue with such intent, any Quail or Bobwhite, or have in possession any Quail or Bobwhite or any part of any Quail or Bobwhite, dead or alive, no matter when or where caught or killed, whether caught or killed in this State or any other State, territory, country, or place except as hereinafter provided in Section 1938a-13 of this act.

§ 2. This Act shall take effect and be in force according to the provisions of the Constitution, and all laws or parts of laws in conflict herewith are hereby repealed.

Said Substitute was then adopted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with said bill was read the third time by its title and passed, as amended.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	G. Samuel Milam
Carroll D. Asbury	Ralph Gilbert	Clarence Miller
Levi Baker	Ferd A. Gnau	H. H. Miller
Harold L. Barnes	J. S. Hall	W. H. Miller
Robert E. Beatty	W. Yancey Handy	Tyler Munford
B. F. Bedford	Judson Harmon	Rodes K. Myers
Wm. B. Belknap	Frank Harris	Richard H. Nufer
Reuben J. Boling	R. M. Harrison, Jr.	Robert A. Persky
O. J. Bowen	J. Joseph Hettinger	James I. Peters
Jas. C. Bright	Dr. A. L. Hill	M. D. Phelps
Wallace Brown	John R. Hobbs	Steve Pieratt
Frank C. Bruton	G. W. Howard	Kleber F. Price
Mrs. Cecil Cantrill	Ira W. Hulette	G. M. Pritchett
J. A. Coleman	G. C. Johnson	Pat Rankin
Sidney J. Collins	T. M. Johnson	Waylon Rayburn
D. B. Coughlin	F. P. Kessee	W. P. Renfro
Joel T. Crenshaw	J. H. King	L. D. Sandlin
Carroll L. Cropper	Leo King	Avery Sartin
W. J. Curtis	W. L. Knuckles, Jr.	Jos. W. Schneider
Harry Davis	Glenn W. Lane	Mrs. M. B. Scott
R. A. Demunbrun	Alden L. Love	Harry Sparks
S. S. Dickson	M. T. McCarthy	Lafe J. Spencer
George Dunlap	Herschel McKinley	Elmore J. Thomas
Garland Embry	C. C. McMasters	Harry B. Thornton
Clarence E. Evans	Roy McWaters	J. Sterling Towles
Rudy Ferguson	C. C. May	Starling B. Tracy
J. B. Floyd	J. S. Mattingly	Robert E. Webb
Kelly J. Francis	L. B. Meadors	B. M. Williams

—84

Resolved that the title thereof be as amended.

Mr. W. H. Miller moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 691. An Act permitting persons who have held teachers' certificates to take the 1934 teachers' examination, and declaring an emergency to exist.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That any person who has held a teacher's certificate may take the May, 1934, teachers' examination, regardless of whether or not such a person is a graduate of a standard four-year high school.

Because the May, 1934, teachers' examination will have passed before this law becomes effective, unless an emergency is declared, an emergency is hereby declared to exist and this Act shall become effective upon its passage and approval.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	B. F. Bedford	Charles Chandler
Carroll D. Asbury	Reuben J. Boling	J. A. Coleman
Levi Baker	O. J. Bowen	Sidney J. Collins
Harold L. Barnes	Jas. C. Bright	D. B. Coughlin
Marshall Barnes	Wallace Brown	Joel T. Crenshaw
Robert E. Beatty	Frank C. Bruton	Carroll L. Cropper

W. J. Curtis	Ira W. Hulette	James I. Peters
Harry Davis	G. C. Johnson	M. D. Phelps
R. A. Demunbrun	T. M. Johnson	Steve Pieratt
S. S. Dickson	F. P. Kessee	Kleber F. Price
George Dunlap	J. H. King	G. M. Pritchett
Garland Embry	Leo King	Pat Rankin
Clarence E. Evans	John Kirtley	Waylon Rayburn
Rudy Ferguson	W. L. Knuckles, Jr.	W. P. Renfro
J. B. Floyd	Glenn W. Lane	L. D. Sandlin
Kelly J. Francis	Alden L. Love	Avery Sartin
L. J. Gammon	M. T. McCarthy	Jos. W. Schneider
W. J. Garnett	C. C. McMasters	Mrs. M. B. Scott
Ferd A. Gnau	Roy McWaters	Harry Sparks
J. S. Hall	C. C. May	Lafe J. Spencer
W. Yancey Handy	J. S. Mattingly	Elmore J. Thomas
Judson Harmon	L. B. Meadors	Harry B. Thornton
Frank Harris	G. Samuel Milam	J. Sterling Towles
R. M. Harrison, Jr.	Clarence Miller	Starling B. Tracy
J. Joseph Hettinger	H. H. Miller	Robert E. Webb
Dr. A. L. Hill	W. H. Miller	B. M. Williams
John R. Hobbs	James B. Milliken	
G. W. Howard	Rodes K. Myers	—82

There voted in the negative—

Wm. B. Belknap —1

Resolved that the title thereof be as aforesaid.

Mr. May moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 394. An Act to create a committee of four, one to

be appointed by the Speaker of the House, one to be appointed by the Lieutenant Governor, one to be appointed by the Chief Justice of the Court of Appeals, and one to be appointed by the President of the State Bar Association, to contract with an individual or corporation to revise the Statutes of Kentucky, and to report to the next session of the General Assembly, and making an appropriation to defray the expenses thereof.

With a Committee amendment thereto by way of Substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That a committee of four is hereby created for the purpose and with the powers hereinafter defined. One of said committee shall be appointed by the Speaker of the House of Representatives, one shall be appointed by the Lieutenant Governor, one shall be appointed by the Chief Justice of the Court of Appeals, and one shall be appointed by the President of the Kentucky State Bar Association.

Vacancies in the committee shall be filled by the same appointing power authorized to make the original appointments.

The said committee shall be called a Committee on Revision of the Statutes of Kentucky, and its members shall serve without pay. but shall be allowed and paid the actual expenses incurred, and shall be authorized to employ necessary clerical assistance. The expenses shall be paid out of the appropriation hereinafter made upon vouchers approved by the committee.

Said committee is hereby authorized and empowered to enter into a contract with a competent person or qualified company to revise the Statutes of Kentucky.

It shall be the duty of the person or corporation employ-

ed by said Committee to formulate prepare and execute a definite plan for the revision, classification, arrangement, printing, annotating and binding of the Statutes of a general nature and of the session laws, and to prepare and present to the proper committee of each house such bills as may be required to harmonize and perfect the statutes, including revisions, repeals and other changes necessary to effect the purpose of clarifying, simplyfying and codifying the laws of the State.

Said committee shall make a report to the next session of the General Assembly of the work done by it, together with copies of all contracts entered into with any person or corporation, and with a complete text of the work done by such person or corporation pursuant to said employment.

§ 2. The sum of $10,000.00 is hereby appropriated and made available out of any funds not otherwise appropriated to pay the expenses of said committee and to pay for the said work of revision by the person or corporation which the said committee may contract.

§ 3. This act shall be in full force and effect from and after its passage and approval as required by law.

Said Substitute is as follows, viz.:

An Act to create a committee of four, one to be appointed by the Speaker of the House, one to be appointed by the Lieutenant Governor, one to be appointed by the Chief Justice of the Court of Appeals, and one to be appointed by the President of the State Bar Association, to authorize the publishers of Carroll's 1930 Kentucky Statutes, Baldwin's Revision, to revise the Statutes of Kentucky, and to report to the next session of the General Assembly, and making an appropriation to defray the expenses thereof.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a committee of four is hereby created for the purpose and with the powers hereinafter defined. One of said committee shall be appointed by the Speaker of the House of Representatives, one shall be appointed by the Lieutenant Governor, one shall be appointed by the Chief Justice of the Court of Appeals, and one shall be appointed by the President of the Kentucky State Bar Association.

Vacancies in the committee shall be filled by the same appointing power authorized to make the original appointments.

The said Committee shall be called a Committee on Revision of the Statutes of Kentucky, and its members shall serve without pay, but shall be allowed and paid the actual expenses incurred. The member's actual expenses shall be paid out of the appropriation hereinafter made upon vouchers approved by the committee.

Said committee is hereby authorized and empowered to authorize the publishers of Carroll's 1930 Kentucky Statutes, Baldwin's Revision, to revise the Statutes of Kentucky, without pay.

It shall be the duty of the publishers of Carroll's 1930 Kentucky Statutes, Baldwin's Revision, to formulate, prepare and execute a definite plan for the revision, classification, arrangement, printing, annotating and binding of the Statutes of a general nature and of the session laws, and to prepare and present to the proper committee of each house such bills as may be required to harmonize and perfect the statutes, including revisions, repeals and other changes necessary to effect the purpose of clarifying, simplifying and codifying the laws of the State.

Said committee shall make a report to the next session of the General Assembly of the work done by it, and present a completed copy of the publishers official revision of Carroll's Kentucky Statutes.

The sum of $500.00 is hereby appropriated and made

available out of any funds not otherwise appropriated to pay the expenses of said committee.

This act shall be in full force and effect from and after its passage and approval as required by law.

Said Substitute was then adopted.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Sidney J. Collins	Judson Harmon
Carroll D. Asbury	D. B. Coughlin	Frank Harris
Levi Baker	Joel T. Crenshaw	R. M. Harrison, Jr.
Harold L. Barnes	Carroll L. Cropper	J. Joseph Hettinger
Marshall Barnes	W. J. Curtis	Dr. A. L. Hill
Robert E. Beatty	Harry Davis	John R. Hobbs
B. F. Bedford	R. A. Demunbrun	G. W. Howard
Wm. B. Belknap	George Dunlap	Ira W. Hulette
Reuben J. Boling	Garland Embry	G. C. Johnson
O. J. Bowen	Clarence E. Evans	T. M. Johnson
Jas. C. Bright	J. B. Floyd	F. P. Kessee
Wallace Brown	Kelly J. Francis	J. H. King
Frank C. Bruton	W. J. Garnett	Leo King
Hugh K. Bullitt	Ralph Gilbert	John Kirtley
Mrs. Cecil Cantrill	Ferd A. Gnau	W. L. Knuckles, Jr.
Charles Chandler	J. S. Hall	Glenn W. Lane
J. A. Coleman	W. Yancey Handy	Alden L. Love

George R. McIntosh	Rodes K. Myers	Jos. W. Schneider
Herschel McKinley	M. D. Phelps	Mrs. M. B. Scott
Roy McWaters	Steve Pieratt	Harry Sparks
C. C. May	Kleber F. Price	Lafe J. Spencer
L. B. Meadors	G. M. Pritchett	Elmore J. Thomas
G. Samuel Milam	Pat Rankin	J. Sterling Towles
H. H. Miller	Waylon Rayburn	Starling B. Tracy
W. H. Miller	W. P. Renfro	Henry T. Ward
James B. Milliken	L. D. Sandlin	Robert E. Webb
Tyler Munford	Avery Sartin	—80

There voted in the negative—

J. S. Mattingly —1

Resolved that the title thereof be as amended.

Mr. Hettinger moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Dr. Hill moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, MARCH 2, 1934.

The House opened with prayer by the Reverend E. W. Baxter of the Episcopal Church of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

Henry H. Allen
Carroll D. Asbury
Levi Baker
Harold L. Barnes
Marshall Barnes
Robert E. Beatty
B. F. Bedford
Reuben J. Boling
O. J. Bowen
Jas. C. Bright
Corbett Brown
Wallace Brown
Frank C. Bruton
Hugh K. Bullitt
Mrs. Cecil Cantrill
Charles Chandler
J. A. Coleman
Sidney J. Collins
D. B. Coughlin
Joel T. Crenshaw
Carroll L. Cropper
G. Cunningham
W. J. Curtis
Harry Davis
R. A. Demunbrun
S. S. Dickson
George Dunlap
Garland Embry
Clarence E. Evans
Rudy Ferguson
T. P. Fitzpatrick
J. B. Floyd
Kelly J. Francis
L. J. Gammon
W. J. Garnett
Ralph Gilbert
Ferd A. Gnau
C. Gottschalk
J. S. Hall
Judson Harmon
Frank Harris
R. M. Harrison, Jr.
J. Joseph Hettinger
Dr. A. L. Hill
John R. Hobbs
G. W. Howard
Ira W. Hulette
G. C. Johnson
T. M. Johnson
F. P. Kessee
J. H. King
Leo King
John Kirtley
W. L. Knuckles, Jr.
Glenn W. Lane
Alden L. Love
M. T. McCarthy
George R. McIntosh
Herschel McKinley
C. C. McMasters
Roy McWaters
C. C. May
J. S. Mattingly
L. B. Meadors
G. Samuel Milam
Clarence Miller
H. H. Miller
W. H. Miller
James B. Milliken
Tyler Munford
Rodes K. Myers
Robert A. Persky
James I. Peters
M. D. Phelps
Steve Pieratt
Kleber F. Price
G. M. Pritchett
Pat Rankin
Waylon Rayburn
W. P. Renfro
L. D. Sandlin
Avery Sartin
Jos. W. Schneider
Mrs. M. B. Scott
Harry Sparks
Lafe J. Spencer
John W. Taylor
Elmore J. Thomas
Harry B. Thornton
Starling B. Tracy
Henry T. Ward
Robert E. Webb
J. B. Wicker
B. M. Williams
W. E. Rogers, Spr.

Mr. Rayburn moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Crenshaw:

H. B. 809. An Act relating to the Primary System of Roads and Highways.

By Mr. Knuckles:

H. B. 810. An Act authorizing the appropriation of $65,000.00 (sixty-five thousand dollars) for the use of the Kentucky State Industrial College for Colored Persons, conditional upon their raising not less than $35,000.00 (thirty-five thousand dollars) from outside sources.

By Mr. Bright:

H. B. 811. An Act relating to the Primary System of Roads and Highways.

By Mr. Gnau:

H. B. 812. An Act to amend and re-enact Section 4127 of the Kentucky Statutes, Carroll's Edition of 1930, providing for compensation of board of supervisors and clerk.

By same:

H. B. 813. An act to amend and re-enact Section 4121-1, Kentucky Statutes, Carroll's 1930 Edition.

By same:

H. B. 814. An Act to amend and re-enact Section 4121, Kentucky Statutes, Carroll's Edition of 1930, providing for

the time of sessions, duties and compensation of clerk of the Board of Supervisors of Tax.

By Mr. Harmon:

H. B. 815. An Act relating to the Primary System of Roads and Highways.

By Mr. Handy:

H. B. 816. An Act relating to the Primary System of Roads and Highways.

By same:

H. B. 817. An Act relating to the Primary System of Roads and Highways.

By same:

H. B. 818. An Act relating to the Primary System of Roads and Highways.

By same:

H. B. 819. An Act relating to the Primary System of Roads and Highways.

By same:

H. B. 820. An Act relating to the Primary System of Roads and Highways.

By Mr. Bruton:

H. B. 821. An Act relating to the Primary System of Roads and Highways.

By Mr. Milliken:

H. B. 822. An Act relating to the Primary System of Roads and Highways.

By same:

H. B. 823. An Act to tax a walk-a-thon dance marathon or any public exhibition relative to the above.

By Mr. Kessee:

H. B. 824. An Act to repeal and re-enact Chapter 145 of the Acts of the General Assembly of 1932, being Section 418-a, Kentucky Statutes, Baldwin's Revision, 1933 Supplement, redistricting the Commonwealth of Kentucky into Nine Congressional Districts.

By Mr. Lane:

H. Res. 67. A Resolution for the relief of Goalder Johnson for expenses incurred in transporting prisoners to the Houses of Reform at Greendale, Kentucky.

By Mr. Harmon:

H. Res. 68. Resolution authorizing William Cox to sue the Commonwealth of Kentucky and the State Highway Commission, or either.

To Committee on Rules:

Mr. Beatty moved that the privilege of the floor be extended to Mr. Ralph Garner.

Said motion was agreed to.

At the instance of the Committee on Rules, the bills and resolutions of the following titles, were reported, viz.:

S. B. 228. An Act to define, license, and regulate the business of making loans or advancements in the amount or of the value of $300 or less, etc.

H. B. 440. An Act permitting veterans of the World War to be entitled to free hunting licenses within their respective resident counties, etc.

H. Res. 42. Resolution authorizing the Irvine Construction Company to sue the State Highway Commission and the Commonwealth of Kentucky.

H. B. 723. An Act appropriating $5,000 out of the general fund for the purpose of erecting a statute of Jefferson Davis, etc.

H. B. 605. An Act relating to the operating of school busses.

H. B. 604. An Act relating to motor vehicles.

S. B. 36. An Act to amend and re-enact Sections 1159 and 1159a, Carroll's Kentucky Statutes, etc.

H. B. 740. An Act appropriating the sum of $3,000 to the Board of Trustees of the Jefferson Davis Memorial, etc.

H. B. 733. An Act providing for fiscal courts to contract with hospitals for the care of the indigent.

H. B. 537. An Act governing the investment of fund of estates by guardians and committees.

H. B. 538. An Act requiring executors, administrators,

curators, trustees, guardians and committees to publish notice of the date of filing of settlements, etc.

H. B. 539. An Act requiring the County Judge, County Clerk, Circuit Court Clerk and Sheriff to take affidavits from individuals offering themselves as surety on bonds executed before the County Judge, etc.

H. B. 120. An Act relating to the Government of cities of the Third Class in the Commonwealth of Kentucky.

S. Res. 36. Resolution providing for the payment for the Legislative Digest.

H. B. 707. An Act relating to the Primary System of Roads and Highways.

H. B. 711. An Act relating to the Primary System of Roads and Highways.

H. B. 713. An Act relating to the Primary System of Roads and Highways.

H. B. 714. An Act relating to the Primary System of Roads and Highways.

H. B. 715. An Act relating to the Primary System of Roads and Highways.

H. B. 716. An Act relating to the Primary System of Roads and Highways.

H. B. 718. An Act relating to the Primary System of Roads and Highways.

H. B. 720. An Act relating to the Primary System of Roads and Highways.

H. B. 721. An Act relating to the Primary System of Roads and Highways.

H. B. 722. An Act relating to the Primary System of Roads and Highways.

H. B. 724. An Act relating to the Primary System of Roads and Highways.

H. B. 726. An Act relating to the Primary System of Roads and Highways.

H. B. 728. An Act relating to the Primary System of Roads and Highways.

H. B. 736. An Act relating to the Primary System of Roads and Highways.

H. B. 746. An Act relating to the Primary System of Roads and Highways.

H. B. 747. An Act relating to the Primary System of Roads and Highways.

H. B. 751. An Act relating to the Primary System of Roads and Highways.

H. B. 756. An Act relating to the Primary System of Roads and Highways.

H. B. 762. An Act relating to the Primary System of Roads and Highways.

H. B. 764. An Act relating to the Primary System of Roads and Highways.

H. B. 769. An Act relating to the Primary System of Roads and Highways.

H. B. 777. An Act relating to the Primary System of Roads and Highways.

H. B. 778. An Act relating to the Primary System of Roads and Highways.

H. B. 779. An Act relating to the Primary System of Roads and Highways.

H. B. 780. An Act relating to the Primary System of Roads and Highways.

H. B. 783. An Act relating to the Primary System of Roads and Highways.

H. B. 784. An Act relating to the Primary System of Roads and Highways.

H. B. 785. An Act relating to the Primary System of Roads and Highways.

H. B. 786. An Act relating to the Primary System of Roads and Highways.

H. B. 787. An Act relating to the Primary System of Roads and Highways.

H. B. 790. An Act relating to the Primary System of Roads and Highways.

H. B. 793. An Act relating to the Primary System of Roads and Highways.

H. B. 807. An Act relating to the Primary System of Roads and Highways.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Dr. Hill moved that the session of today be extended indefinitely.

Said motion was agreed to.

Dr. Hill moved that the Rules be suspended and that the House do now proceed to the consideration of the Orders of the Day.

Said motion was agreed to.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 6. An Act to amend Sections 256, 257, 258 and 260 of the Constitution of the Commonwealth of Kentucky prescribing and regulating the modes of revision of said Constitution.

H. B. 559. An Act relating to railroad companies and prohibiting railroad companies from requiring any of their employees to have their time-pieces cleaned oftener than once every three years, etc.

H. B. 645. An Act to repeal, amend and re-enact Section 5 of Chapter 129 of the Acts of the 1932 General Assembly and Chapter 148 of the Acts of the 1932 General Assembly, being Section 4148, Carroll's Kentucky Statutes, etc.

H. B. 621. An Act providing for the extension for teacher's certificates in the Commonwealth of Kentucky; the basic credits upon which such credit certificates shall be extended, etc.

H. B. 207. An Act to define and increase the jurisdiction of Courts having general equity jurisdiction within the Commonwealth by amending Section 2117 of Carroll's Kentucky Statutes as amended, etc.

S. B. 68. An Act to amend and re-enact Section 1093 of the Kentucky Statutes (Carroll's 1930 Edition) being an Act defining and prescribing the jurisdiction of justices and quarterly courts and the judges of police courts in cities of 1st, 2nd, 3rd, 4th, 5th, and 6th class.

S. B. 93. An Act to amend Section 2506 of Carroll's Kentucky Statutes, 1930 Edition, prescribing the time within which persons under a disability must sue for the recovery of real estate by excluding married women from the category of such persons and to re-enact the same as thus amended, etc.

H. B. 719. An Act to provide old age pensions for the citizens of the Commonwealth of Kentucky; that every person who gives satisfactory proof to the authority hereinafter designated that he or she (a) has reached the age of 60 years, etc.

H. B. 328. An Act proposing an amendment to the Constitution of the Commonwealth of Kentucky pertaining to public office and providing that all constitutional or other public offices in Kentucky in the executive, judicial, and legislative departments, except the offices of Governor, Lieutenant Governor, Judges of the Court of Appeals and members of the General Assembly, may be abolished or consolidated by the General Assembly, etc.

H. Res. 53. Resolution authorizing Mrs. Lane Taulbee Holliday to sue the Commonwealth of Kentucky and/or the Home Commission".

H. B. 725. An Act repealing Section 2739f-4 of the 1933 Supplement of the Kentucky Statutes, including all the singular subsections thereof, etc., relating to "My Old Kentucky Home Commission."

H. B. 439. An Act enabling the fiscal courts of counties containing cities of the 5th and 6th class to enter into a contract with said cities to construct a road through said cities or towns.

H. B. 352. An Act to amend and re-enact the title and Section 1 of an Act of the General Assembly which was adopted at its regular session in 1932, and entitled "An Act enabling cities of the 3rd class to acquire, construct, operate and maintain electric light, heat and power plants and to issue revenue bonds", etc.

H. B. 203. An Act to amend and re-enact Section 2438-8 of Baldwin's 2932 Supplement of Carroll's Kentucky Statutes, same being Section 1 of Chapter 63 of the Acts of the General Assembly of 1930, and relating to establishing in the county seat of each county a County Law Library, etc.

H. Res. 65. Resolution authorizing E. E. Tarter of Hickman county to sue the Commonwealth of Kentucky.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles, viz.:

Ordered that said bills be placed in the Orders of the Day.

The House took up for consideration a bill entitled:

H. B. 318. An Act to amend and re-enact Section 2625 of Kentucky Statutes, compiled by the Hon. John D. Carroll, pertaining to druggists.

Which was reported to this House from the Senate on yesterday.

With an amendment thereto as offered by the Senate.

(For bill see House Journal of February 1).

Said amendment as offered by the Senate is as follows, viz.:

Amend H. B. 318 in Senate by adding to line 60 in the printed bill, after the word "examination" the following:

"It is further provided that nothing in this act or any act seeks to limit, restrict or prohibit the sale of harmless drugs and patent medicines by any store in the Commonwealth of Kentucky, and the right of licensed physicians in active practice to keep drugs at any time or place to be used under their direction in the practice of their profession shall not be questioned or abridged; all laws in conflict are hereby repealed to the extent of such conflict."

Said amendment was then concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harold L. Barnes	Robert E. Beatty
Carroll D. Asbury	Marshall Barnes	B. F. Bedford

Wm. B. Belknap	Judson Harmon	W. H. Miller
Reuben J. Boling	Frank Harris	James B. Milliken
Jas. C. Bright	R. M. Harrison, Jr.	Tyler Munford
Mrs. Cecil Cantrill	J. Joseph Hettinger	James I. Peters
Charles Chandler	Dr. A. L. Hill	M. D. Phelps
J. A. Coleman	John R. Hobbs	Kleber F. Price
Joel T. Crenshaw	G. W. Howard	Pat Rankin
G. Cunningham	Ira W. Hulette	Waylon Rayburn
W. J. Curtis	T. M. Johnson	W. P. Renfro
Harry Davis	F. P. Kessee	L. D. Sandlin
R. A. Demunbrun	J. H. King	Avery Sartin
S. S. Dickson	Leo King	Jos. W. Schneider
Clarence E. Evans	John Kirtley	Mrs. M. B. Scott
Rudy Ferguson	W. L. Knuckles, Jr.	Harry Sparks
T. P. Fitzpatrick	Glenn W. Lane	Lafe J. Spencer
J. B. Floyd	Alden L. Love	Elmore J. Thomas
Kelly J. Francis	M. T. McCarthy	Harry B. Thornton
L. J. Gammon	George R. McIntosh	Starling B. Tracy
W. J. Garnett	C. C. McMasters	Henry T. Ward
Ralph Gilbert	Roy McWaters	Robert E. Webb
C. Gottschalk	L. B. Meadors	J. B. Wicker
J. S. Hall	H. H. Miller	—71

There voted in the negative—

O. J. Bowen —1

Mr. Munford moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

The House took up for consideration a bill entitled:

H. B. 125. An Act to amend and re-enact Section 18 of Chapter 17 of the Acts of the General Assembly at its 1932 session, approved March 24, 1932, etc.

Which was reported to this House from the Senate on yesterday.

With an amendment thereto as offered by the Senate.

(For bill see House Journal of February 1)

Said amendment, as offered by the Senate, is as follows, viz.:

Amend H. B. 125 by striking therefrom the following language: "(b) in line 3 on page 4 and ending with the word "distribution" in line 6 on page 5, and inserting in lieu thereof the following: "(b) to the satisfaction of all proven or adjudicated debts, whether secured or unsecured, ratably and without preference, provided, however, that each secured creditor shall have the full benefit of his security and shall also be entitled to prove for, and receive dividends upon the full amount of his claim, without regard to any sums received or to be received from his collateral security, provided, however that such secured creditor shall not in any event receive more than the full amount of his entire claim".

Said amendment was then concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen Carroll D. Asbury Harold L. Barnes

Marshall Barnes	Ralph Gilbert	Roy McWaters
Robert E. Beatty	C. Gottschalk	C. C. May
B. F. Bedford	J. S. Hall	J. S. Mattingly
Wm. B. Belknap	Judson Harmon	L. B. Meadors
Reuben J. Boling	Frank Harris	H. H. Miller
Corbett Brown	R. M. Harrison, Jr.	W. H. Miller
Wallace Brown	J. Joseph Hettinger	M. D. Phelps
Mrs. Cecil Cantrill	Dr. A. L. Hill	Steve Pieratt
Charles Chandler	John R. Hobbs	Kleber F. Price
J. A. Coleman	Ira W. Hulette	G. M. Pritchett
D. B. Coughlin	T. M. Johnson	Waylon Rayburn
Joel T. Crenshaw	F. P. Kessee	W. P. Renfro
W. J. Curtis	J. H. King	L. D. Sandlin
Harry Davis	Leo King	Avery Sartin
R. A. Demunbrun	John Kirtley	Jos. W. Schneider
S. S. Dickson	W. L. Knuckles, Jr.	Mrs. M. B. Scott
George Dunlap	Glenn W. Lane	Harry Sparks
Garland Embry	Alden L. Love	Elmore J. Thomas
Clarence E. Evans	M. T. McCarthy	Harry B. Thornton
J. B. Floyd	George R. McIntosh	Henry T. Ward
Kelly J. Francis	Herschel McKinley	Robert E. Webb
W. J. Garnett	C. C. McMasters	J. B. Wicker

—69

Mr. Lane moved that the vote by which said bill was passed as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed bills which originated in the Senate entitled:

S. B. 191. An Act providing for the licensing of agents of life insurance companies and providing for the revocation thereof.

S. B. 189. An Act to amend, revise and re-enact Section

23 of Chapter 118 of the Acts of 1912, now Section 1020-23, Carroll's Kentucky Statutes, Baldwin's Revision of 1930, concerning Courts having seven Judges, etc.

Ordered that said bills be printed and referred to Committee on Rules.

And that they had passed bills which originated in this House, entitled:

H. Res. 30. Resolution authorizing S. M. Green, his personal representative, executor or administrator to sue the Commonwealth of Kentucky.

With an Amendment thereto as offered by the Senate.

H. B. 541. An Act to repeal Chapter 115 of the Acts of the General Assembly of 1930, being now Sections 3750-1, 3750-2, and 3750-3 of Carroll's Kentucky Statutes, Baldwin's Revision, Supplement to 1933, and declaring an emergency to exist.

With Amendments thereto as offered by the Senate.

Dr. Hill moved that the House do now take up for consideration said last named bill.

Said motion was agreed to.

Thereupon the House took up for consideration said bill.

(For bill see House Journal of February 19.)

Said amendments as offered by the Senate to said bill, are as follows, viz.:

1. Amend H. B. 541 by striking out in Section 1, line 2, after the figures "3750-2", the following "and 3750-3".

2. Amend the title to H. B. 541 by striking out the entire title in the printed copy and inserting the following:

"An Act to repeal Chapter 115 of the Acts of the General Assembly of 1930, being now Section 3750-1, 3750-2 of Carroll's Kentucky Statutes, Baldwin's Revision, Supplement to 1933. Declaring an emergency to exist."

Amendment No. 1, as offered by the Senate, was then concurred in.

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	L. J. Gammon	Roy McWaters
Carroll D. Asbury	Ralph Gilbert	C. C. May
Harold L. Barnes	Ferd A. Gnau	G. Samuel Milam
Robert E. Beatty	C. Gottschalk	Clarence Miller
B. F. Bedford	Judson Harmon	H. H. Miller
Reuben J. Boling	Frank Harris	W. H. Miller
O. J. Bowen	R. M. Harrison, Jr.	James B. Milliken
Corbett Brown	J. Joseph Hettinger	Tyler Munford
Wallace Brown	Dr. A. L. Hill	Rodes K. Myers
Hugh K. Bullitt	G. W. Howard	Richard H. Nufer
Mrs. Cecil Cantrill	T. M. Johnson	Robert A. Persky
Charles Chandler	F. P. Kessee	M. D. Phelps
J. A. Coleman	J. H. King	G. M. Pritchett
Joel T. Crenshaw	Leo King	Waylon Rayburn
Carroll L. Cropper	John Kirtley	L. D. Sandlin
G. Cunningham	Glenn W. Lane	Avery Sartin
Harry Davis	Alden L. Love	Mrs. M. B. Scott
R. A. Demunbrun	M. T. McCarthy	Lafe J. Spencer
Rudy Ferguson	George R. McIntosh	Lyle C. Tackett
Kelly J. Francis	C. C. McMasters	Elmore J. Thomas

J. Sterling Towles	Henry T. Ward	
Starling B. Tracy	J. B. Wicker	—65

Those who voted in the negative were—

D. B. Coughlin	J. S. Mattingly	W. P. Renfro
Clarence E. Evans	James I. Peters	Jos. W. Schneider
Ira W. Hulette	Kleber F. Price	
Herschel McKinley	Pat Rankin	—10

Amendment No. 2 as offered by the Senate to the title of said bill, was then concurred in.

Dr. Hill moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules, the following bill was introduced, ordered printed and referred as follows, viz.:

By Mr. Clarence Miller:

H. B. 825. An Act relating to the Primary System of Roads and Highways.

To Committee on Rules.

The hour of twelve o'clock Meridian having arrived, Dr. Hill moved that the House do now recess until one o'clock, P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of one o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 502. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways in the Commonwealth of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be, and is hereby established as a part of the primary system of highways in this Commonwealth, the following route, to-wit:

Beginning at or near the point in Caldwell county, Kentucky, on State Highway No. 91, where now resides Mrs. Al George, which point is known as White Sulphur Springs Cross Road, and running thence in a Northerly direction by or through the property of B. S. McWorthy, Dewey Cartwright, Kelly Cantrell, Tom Black to the Flynn's Ferry Road, at the home of Tom Black, thence in general direction with the Flynn's Ferry Road as near as practical to Flat Rock, Kentucky, a distance of approximately seven miles.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 505.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of the state highways of the Commonwealth of Kentucky, a road beginning at a point in State Highway 71, near Masonville thence via Habit to a point in State Highway 54 near Philpot in Daviess County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 506.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road beginning at a point in State Highway 81 about 2 miles south of Mosleyville thence via Handyville and Utica to State Highway 75.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as amended, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	B. F. Bedford	Wallace Brown
Carroll D. Asbury	Wm. B. Belknap	Mrs. Cecil Cantrill
Harold L. Barnes	Reuben J. Boling	Charles Chandler
Marshall Barnes	Jas. C. Bright	J. A. Coleman
Robert E. Beatty	Corbett Brown	D. B. Coughlin

Joel T. Crenshaw	Ira W. Hulette	Tyler Munford
G. Cunningham	T. M. Johnson	James I. Peters
Harry Davis	F. P. Kessee	M. D. Phelps
R. A. Demunbrun	J. H. King	Steve Pieratt
S. S. Dickson	Leo King	Kleber F. Price
George Dunlap	John Kirtley	Waylon Rayburn
Clarence E. Evans	W. L. Knuckles, Jr.	W. P. Renfro
T. P. Fitzpatrick	Glenn W. Lane	L. D. Sandlin
J. B. Floyd	Alden L. Love	Avery Sartin
W. J. Garnett	M. T. McCarthy	Mrs. M. B. Scott
C. Gottschalk	Herschel McKinley	Harry Sparks
J. S. Hall	C. C. McMasters	Elmore J. Thomas
Judson Harmon	Roy McWaters	Harry B. Thornton
Frank Harris	C. C. May	Starling B. Tracy
R. M. Harrison, Jr.	J. S. Mattingly	Henry T. Ward
J. Joseph Hettinger	L. B. Meadors	Robert E. Webb
Dr. A. L. Hill	H. H. Miller	J. B. Wicker
John R. Hobbs	W. H. Miller	B. M. Williams
G. W. Howard	James B. Milliken	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 507. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at Morrison and Henton's corner in Fleming

County, Kentucky, at the junction with the Flemingsburg-Moorehead road and continuing west through Poplar Plains via Bald Hill to the intersection of the Fields Highway at Tilton, Fleming County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the State highways of this Commonwealth of Kentucky a road beginning at Morrison and Henton's corner in Fleming County, Kentucky, at the juction with the Flemingsburg-Moorehead road and continuing west through Poplar Plains via Bald Hill to the intersection of the Fields Highway at Tilton, Fleming County, Kentucky, being approximately eight miles in length and designated as project number .....

§ 2. The construction, maintenance and supervision of said road shall be subject to all the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly 1920 as amended.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harold L. Barnes	Robert E. Beatty
Carroll D. Asbury	Marshall Barnes	B. F. Bedford

Wm. B. Belknap	Frank Harris	H. H. Miller
Reuben J. Boling	R. M. Harrison, Jr.	W. H. Miller
Jas. C. Bright	J. Joseph Hettinger	James B. Milliken
Corbett Brown	Dr. A. L. Hill	Tyler Munford
Wallace Brown	John R. Hobbs	James I. Peters
Mrs. Cecil Cantrill	G. W. Howard	M. D. Phelps
Charles Chandler	Ira W. Hulette	Steve Pieratt
J. A. Coleman	T. M. Johnson	Kleber F. Price
D. B. Coughlin	F. P. Kessee	Waylon Rayburn
Joel T. Crenshaw	J. H. King	W. P. Renfro
G. Cunningham	Leo King	L. D. Sandlin
Harry Davis	John Kirtley	Avery Sartin
R. A. Demunbrun	W. L. Knuckles, Jr.	Mrs. M. B. Scott
S. S. Dickson	Glenn W. Lane	Harry Sparks
George Dunlap	Alden L. Love	Elmore J. Thomas
Clarence E. Evans	M. T. McCarthy	Harry B. Thornton
T. P. Fitzpatrick	Herschel McKinley	Starling B. Tracy
J. B. Floyd	C. C. McMasters	Henry T. Ward
W. J. Garnett	Roy McWaters	Robert E. Webb
C. Gottschalk	C. C. May	J. B. Wicker
J. S. Hall	J. S. Mattingly	B. M. Williams
Judson Harmon	L. B. Meadors	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 508. An Act to establish as a part of the primary

system of highways of this Commonwealth of Kentucky, a road beginning at Flemingsburg Junction, Fleming County, and running to the Mason County line.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State highways of the Commonwealth of Kentucky a road beginning at a point at Flemingsburg Junction (Johnson's Station) in Fleming County, Kentucky, and continuing to the Mason County line near Mayslick, being about one and one half to two miles in length and known as the Flemingsburg-Mayslick road and designated as project number .....

§ 2. The construction, maintenance and supervision of said road shall be subject to all the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly 1920 as amended.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	B. F. Bedford	Wallace Brown
Carroll D. Asbury	Wm. B. Belknap	Mrs. Cecil Cantrill
Harold L. Barnes	Reuben J. Boling	Charles Chandler
Marshall Barnes	Jas. C. Bright	J. A. Coleman
Robert E. Beatty	Corbett Brown	D. B. Coughlin

Joel T. Crenshaw	Ira W. Hulette	Tyler Munford
G. Cunningham	T. M. Johnson	James I. Peters
Harry Davis	F. P. Kessee	M. D. Phelps
R. A. Demunbrun	J. H. King	Steve Pieratt
S. S. Dickson	Leo King	Kleber F. Price
George Dunlap	John Kirtley	Waylon Rayburn
Clarence E. Evans	W. L. Knuckles, Jr.	W. P. Renfro
T. P. Fitzpatrick	Glenn W. Lane	L. D. Sandlin
J. B. Floyd	Alden L. Love	Avery Sartin
W. J. Garnett	M. T. McCarthy	Mrs. M. B. Scott
C. Gottschalk	Herschel McKinley	Harry Sparks
J. S. Hall	C. C. McMasters	Elmore J. Thomas
Judson Harmon	Roy McWaters	Harry B. Thornton
Frank Harris	C. C. May	Starling B. Tracy
R. M. Harrison, Jr.	J. S. Mattingly	Henry T. Ward
J. Joseph Hettinger	L. B. Meadors	Robert E. Webb
Dr. A. L. Hill	H. H. Miller	J. B. Wicker
John R. Hobbs	W. H. Miller	B. M. Williams
G. W. Howard	James B. Milliken	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 510. An Act adding a certain road to the primary system beginning at Tompkinsville-Edmonton highway No. 149 near Rock Ridge, Monroe County, Ky., thence via the Old

Trace Road to Tompkinsville-Burkesville Project No. ....., at a point at or near Ross' store, Meshack, Ky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the state primary road system a road project beginning on Edmonton-Tompkinsville road, State Highway No. 149, at a point at or near Rock Bridge, Ky., thence via the Old Trace Road to Tompkinsville-Burkesville Project No. ....., at a point at or near Ross' Store on Meshack Creek, Meshack, Ky.

The road project herein established shall have all the rights and benefits of all laws now in force or hereafter enacted pertaining to state highways in this Commonwealth.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Corbett Brown	R. A. Demunbrun
Carroll D. Asbury	Wallace Brown	S. S. Dickson
Harold L. Barnes	Mrs. Cecil Cantrill	George Dunlap
Marshall Barnes	Charles Chandler	Clarence E. Evans
Robert E. Beatty	J. A. Coleman	T. P. Fitzpatrick
B. F. Bedford	D. B. Coughlin	J. B. Floyd
Wm. B. Belknap	Joel T. Crenshaw	W. J. Garnett
Reuben J. Boling	G. Cunningham	C. Gottschalk
Jas. C. Bright	Harry Davis	J. S. Hall

Judson Harmon	Alden L. Love	Kleber F. Price
Frank Harris	M. T. McCarthy	Waylon Rayburn
R. M. Harrison, Jr.	Herschel McKinley	W. P. Renfro
J. Joseph Hettinger	C. C. McMasters	L. D. Sandlin
Dr. A. L. Hill	Roy McWaters	Avery Sartin
John R. Hobbs	C. C. May	Mrs. M. B. Scott
G. W. Howard	J. S. Mattingly	Harry Sparks
Ira W. Hulette	L. B. Meadors	Elmore J. Thomas
T. M. Johnson	H. H. Miller	Harry B. Thornton
F. P. Kessee	W. H. Miller	Starling B. Tracy
J. H. King	James B. Milliken	Henry T. Ward
Leo King	Tyler Munford	Robert E. Webb
John Kirtley	James I. Peters	J. B. Wicker
W. L. Knuckles, Jr.	M. D. Phelps	B. M. Williams
Glenn W. Lane	Steve Pieratt	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 511. An Act adding to the state primary system of highways a project connecting Center, Metcalfe County, Ky., with Monroe, Hart County, Ky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now established as a part of the State Primary

System of Highways of Kentucky, a road project beginning at Center, Metcalfe County, Ky., via Shady Grove Church following the county road as near as practical to Monroe, Hart County, Ky.

The road project established in this act shall have all the rights and benefits of the road laws of this Commonwealth now in force or hereafter enacted.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harry Davis	Ira W. Hulette
Carroll D. Asbury	R. A. Demunbrun	T. M. Johnson
Harold L. Barnes	S. S. Dickson	F. P. Kessee
Marshall Barnes	George Dunlap	J. H. King
Robert E. Beatty	Clarence E. Evans	Leo King
B. F. Bedford	T. P. Fitzpatrick	John Kirtley
Wm. B. Belknap	J. B. Floyd	W. L. Knuckles, Jr.
Reuben J. Boling	W. J. Garnett	Glenn W. Lane
Jas. C. Bright	C. Gottschalk	Alden L. Love
Corbett Brown	J. S. Hall	M. T. McCarthy
Wallace Brown	Judson Harmon	Herschel McKinley
Mrs. Cecil Cantrill	Frank Harris	C. C. McMasters
Charles Chandler	R. M. Harrison, Jr.	Roy McWaters
J. A. Coleman	J. Joseph Hettinger	C. C. May
D. B. Coughlin	Dr. A. L. Hill	J. S. Mattingly
Joel T. Crenshaw	John R. Hobbs	L. B. Meadors
G. Cunningham	G. W. Howard	H. H. Miller

W. H. Miller	Waylon Rayburn	Harry B. Thornton
James B. Milliken	W. P. Renfro	Starling B. Tracy
Tyler Munford	L. D. Sandlin	Henry T. Ward
James I. Peters	Avery Sartin	Robert E. Webb
M. D. Phelps	Mrs. M. B. Scott	J. B. Wicker
Steve Pieratt	Harry Sparks	B. M. Williams
Kleber F. Price	Elmore J. Thomas	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 512. An Act adding a section of road to the State Primary System of Highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the State Primary System of Highways a road beginning on State Highway No. 63 at Mt. Herman then via Lamb to State Highway leading to Fountain Run, Ky.

The road project herein established shall receive all the rights, privileges, conditions and benefits, of all laws now in force or hereafter enacted relating to State highways in this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	J. B. Wicker
Clarence E. Evans	C. C. McMasters	Robert E. Webb
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	

—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie os the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 513. An Act creating and establishing as a part of the State Primary Road System, a road project beginning on State Highway No. ..... leading from Tompkinsville, Ky., to Tennessee State line near Boles, Ky., at a point at or near Joel Moore's Mill, thence to Boles, Ky. (Boles Spring), connecting with highway in Tennessee. A distance of about 3 miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is now created and established as a part of the State Primary System of Highways a road project beginning on State Highway No. ....., which leads from Tompkinsville, to Tennessee State line near Boles, Ky., at a point near Joel Moore's Mill, then to Boles, Ky. (Boles Spring), connecting with Highway in Tennessee. A distance of about 3 miles.

The road project herein established shall have all rights and benefits of all laws now in effect or hereafter enacted pertaining to state highways in this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 516. An Act establishing as a part of the primary system of State Highways, a road beginning at a point on the Dixon-Sebree Highway No. ..... at or near Ortiz in Webster County and running in a Southernly direction via the farms of T. H. Shelton and the late L. B. Hall to and connecting with the Dixen-Slaughters State Highway No. ..... at or near Mount Pleasant Church and school house in Webster County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the Primary System of Highways of the Commonwealth of Kentucky, a road beginning at a point on the Dixon-Sebree State Highway No. ..... at or near Ortiz in Webster County and running in a Southernly direction via the farms of T. H. Shelton and the late L. B. Hall to and connecting with the Dixen-Slaughters State Highway No. ....., at or near Mount Pleasant Church and School House in Webster County to be known and designated as Project No. .....

§ 2. The said road to have and receive all the benefits of a State Primary Road System under Chapter 17 of the Acts of 1920 and the Amendments thereto.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 517. An Act to establish as a part of the primary system of state highways a road beginning at Sasafrass. Knott County, Kentucky, on Route No. 15, and thence up Yellow Creek to a point about one-half mile above Anco Post Office, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning at a point on Route No. 15, at Sasafrass, Knott County, Kentucky, and thence up Yellow Creek to a point about one-half mile above Anco, Post Office, Knott County, Kentucky. Said project shall be known as project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17, of the Acts of 1920, session of the General Assembly, as amended, establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 521. An Act to establish as a part of the primary system of State Highways, a road beginning at the mouth of Road Fork of Pond Creek, Pike County, Kentucky, on the highway between Pikeville and Williamson, W. Va., and thence up Road Fork to the Pikeville-Williamson Highway near the store of Orrison Smith on Big Creek.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky, a road beginning at a point on the Pikeville-Williamson Highway at the mouth of Road Fork of Pond Creek, in Pike County, Kentucky, and thence running up said Road Fork and crossing the mountain to a point on Big Creek, on the Pikeville-Williamson Highway, near the store of Orrison Smith. Said road shall be known as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of 1920, of the General Assembly, as amended, establishing and creating a primary system of State Highways to the same effect as if said road had been named in the original Act as one of the projects of the primary system of State Highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 522. An Act establishing road leading from Saloma to near Oak Hill School House.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky a road beginning at Saloma, thence via Good Hope School House, by Bob Young's, Charles Morris' and Joe Sullivan's to the Campbellsville-Hodgensville Highway, near Oak Hill School House, about six and one-half (6½) miles.

§ 2. Said project thus established as part of the primary roads of this Commonwealth shall be entitled to all privileges, benefits and conditions now given by any Act or Law to the primary roads of this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dicksor	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 550. An Act relating to roads and highways, describing and fixing a project by adding to the primary system of roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the State primary system of highways in this Commonwealth, the following route, to-wit:

Beginning at the Jackson Highway, at a place known as the Bales Hill; or curve, and (known as the Greenburg Road); thence, to Powder Mills Post Office; thence to Green county line; thence to Hudgens, a distance of about six (6) miles. This route when established to be designated as Project No. ....., and to be entitled to receive all the benefits relating to the primary system of highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Robert E. Beatty	Jas. C. Bright
Carroll D. Asbury	B. F. Bedford	Corbett Brown
Harold L. Barnes	Wm. B. Belknap	Wallace Brown
Marshall Barnes	Reuben J. Boling	Mrs. Cecil Cantrill

Charles Chandler	John R. Hobbs	James B. Milliken
J. A. Coleman	G. W. Howard	Tyler Munford
D. B. Coughlin	Ira W. Hulette	James I. Peters
Joel T. Crenshaw	T. M. Johnson	M. D. Phelps
G. Cunningham	F. P. Kessee	Steve Pieratt
Harry Davis	J. H. King	Kleber F. Price
R. A. Demunbrun	Leo King	Waylon Rayburn
S. S. Dickson	John Kirtley	W. P. Renfro
George Dunlap	W. L. Knuckles, Jr.	L. D. Sandlin
Clarence E. Evans	Glenn W. Lane	Avery Sartin
T. P. Fitzpatrick	Alden L. Love	Mrs. M. B. Scott
J. B. Floyd	M. T. McCarthy	Harry Sparks
W. J. Garnett	Herschel McKinley	Elmore J. Thomas
C. Gottschalk	C. C. McMasters	Harry B. Thornton
J. S. Hall	Roy McWaters	Starling B. Tracy
Judson Harmon	C. C. May	Henry T. Ward
Frank Harris	J. S. Mattingly	Robert E. Webb
R. M. Harrison, Jr.	L. B. Meadors	J. B. Wicker
J. Joseph Hettinger	H. H. Miller	B. M. Williams
Dr. A. L. Hill	W. H. Miller	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 551. An Act to establish as part of the primary system of the highways of the Commonwealth of Kentucky a road in Hardin County beginning at or near the West Meeting

Creek voting precinct following or running near the Old Salt River road, via Limp, in Hardin County, thence to Leitchfield, Grayson County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is now and hereby established as a part of the primary system of highways of the Commonwealth of Kentucky a road in Hardin County beginning at or near the West Meeting Creek voting precinct, following or running near the Old Salt River road, via Limp, in Hardin County, thence to Leitchfield, Grayson County, and designated as Project No. .....

The construction, maintenance, supervision and control of said road shall be subject to all the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly of 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wm. B. Belknap	Charles Chandler
Carroll D. Asbury	Reuben J. Boling	J. A. Coleman
Harold L. Barnes	Jas. C. Bright	D. B. Coughlin
Marshall Barnes	Corbett Brown	Joel T. Crenshaw
Robert E. Beatty	Wallace Brown	G. Cunningham
B. F. Bedford	Mrs. Cecil Cantrill	Harry Davis

R. A. Demunbrun	F. P. Kessee	James I. Peters
S. S. Dickson	J. H. King	M. D. Phelps
George Dunlap	Leo King	Steve Pieratt
Clarence E. Evans	John Kirtley	Kleber F. Price
T. P. Fitzpatrick	W. L. Knuckles, Jr.	Waylon Rayburn
J. B. Floyd	Glenn W. Lane	W. P. Renfro
W. J. Garnett	Alden L. Love	L. D. Sandlin
C. Gottschalk	M. T. McCarthy	Avery Sartin
J. S. Hall	Herschel McKinley	Mrs. M. B. Scott
Judson Harmon	C. C. McMasters	Harry Sparks
Frank Harris	Roy McWaters	Elmore J. Thomas
R. M. Harrison, Jr.	C. C. May	Harry B. Thornton
J. Joseph Hettinger	J. S. Mattingly	Starling B. Tracy
Dr. A. L. Hill	L. B. Meadors	Henry T. Ward
John R. Hobbs	H. H. Miller	Robert E. Webb
G. W. Howard	W. H. Miller	J. B. Wicker
Ira W. Hulette	James B. Milliken	B. M. Williams
T. M. Johnson	Tyler Munford	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 552. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at or near Siler, Knox County, Kentucky, on State Highway No. 25 and running by way of Scott's Chapel Church, Robinson Creek Church, up Hopper

Branch, down Blackwater to or near Tom Taylor's place, connecting with Highway No. 80 at or near Providence Church, Laurel County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at or near Siler, Knox County, Kentucky, on State Highway No. 25 and running by way of Scott's Chapel Church, Robison Creek Church, up Hopper Branch, down Blackwater to or near Tom Taylor's place, connecting with Highway No. 80, at or near Providence Church, Laurel County, Kentucky.

The road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission, and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harold L. Barnes	Robert E. Beatty
Carroll D. Asbury	Marshall Barnes	B. F. Bedford

Wm. B. Belknap	Frank Harris	H. H. Miller
Reuben J. Boling	R. M. Harrison, Jr.	W. H. Miller
Jas. C. Bright	J. Joseph Hettinger	James B. Milliken
Corbett Brown	Dr. A. L. Hill	Tyler Munford
Wallace Brown	John R. Hobbs	James I. Peters
Mrs. Cecil Cantrill	G. W. Howard	M. D. Phelps
Charles Chandler	Ira W. Hulette	Steve Pieratt
J. A. Coleman	T. M. Johnson	Kleber F. Price
D. B. Coughlin	F. P. Kessee	Waylon Rayburn
Joel T. Crenshaw	J. H. King	W. P. Renfro
G. Cunningham	Leo King	L. D. Sandlin
Harry Davis	John Kirtley	Avery Sartin
R. A. Demunbrun	W. L. Knuckles, Jr.	Mrs. M. B. Scott
S. S. Dickson	Glenn W. Lane	Harry Sparks
George Dunlap	Alden L. Love	Elmore J. Thomas
Clarence E. Evans	M. T. McCarthy	Harry B. Thornton
T. P. Fitzpatrick	Herschel McKinley	Starling B. Tracy
J. B. Floyd	C. C. McMasters	Henry T. Ward
W. J. Garnett	Roy McWaters	Robert E. Webb
C. Gottschalk	C. C. May	J. B. Wicker
J. S. Hall	J. S. Mattingly	B. M. Williams
Judson Harmon	L. B. Meadors	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 561. An Act creating and establishing as a part of

the primary system of highways of the Commonwealth of Kentucky a road to be designated as Project No. ....., beginning at the city limits of the city of Hickman, Fulton County, Kentucky, at the Corporation Bridge, near West Hickman Baptist Church, and going in a southwesterly direction to the cross roads known as Brownsville, a distance of approximately three miles, thence almost due south approximately two miles to the Tennessee state line, connecting with a road built to that point by Obion County, Tennessee.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Paragraph 1. That there be and now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road to be designated as Project No. ....., beginning at the city limits of the city of Hickman, Fulton County, Kentucky, at the Corporation Bridge, near West Hickman Baptist Church and going in a southwesterly direction to the cross roads known as Brownsville, a distance of approximatley three miles, thence almost due south approximately two miles to the Tennessee state line, connecting with a road built to that point by Obion County, Tennessee.

Paragraph 2. Said project thus established to be and become a part of the primary system of roads of this State and to be entitled to all the benefits and subject to all the laws now and hereafter enforced with relation to same.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	J. B. Wicker
Clarence E. Evans	C. C. McMasters	Robert E. Webb
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 562. An Act creating and establishing as a part of the Primary System of Highways of the Commonwealth of Kentucky a road to be designated as Project No. ....., beginning at a point on State Highway No. 94, in Fulton County, about one mile north of Miller Station extending west to No. 9 Lake, a distance of approximately two miles, thence in a northwesterly direction to the U. S. Government levee near the old steamboat landing known as Mabel, an additional distance of about one mile.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and now is established as a part of the Primary System of Highways of the Commonwealth of Kentucky a road to be designated as Project No. ....., beginning at a point on State Highway No. 94 in Fulton County about one mile north of Miller Station extending west to No. 9 Lake, a distance of approximately two miles, thence in a northwesterly direction to the U. S. Government Levee near the old steamboat landing known as Mabel, an additional distance of about one mile.

§ 2. Said project thus established to be and become a part of the primary system of roads in this state and to be entitled to all the benefits and subject to all the laws now and hereafter enforced with relation to same.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robt. E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. No. 566. An Act establishing and creating as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road from Apex, in Christian County, to Madisonville, in Hopkins County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State roads and highways of the Commonwealth of Kentucky a road beginning with the intersection of the Hopkinsville-Greenville road at Apex in Christian County; running northwardly to the Hopkins-Christian County line to Madisonville, in Hopkins County, Kentucky; via White Plains, Concord Church and Uzzle's Mill.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17, page 76, of the Acts of 1920, establishing and creating a primary system of State highways, and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system of State highways.

§ 3. Said project when completed shall be known and designated as State Project No. .....

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 568. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the State Highway primary system of highways in this Commonwealth the following route, to-wit:

Beginning at Ezel, Morgan county; thence over the most practical route to Maytown; thence to Hazel Green, in Wolfe County. Said route to be known as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and under the provisions and controlled by the Act of the General Assembly as amended relating to roads and highways of the Acts of 1920, being Chapter 17 of said Acts. Said route is to be entitled to and receive all the benefits with relation to the primary system under the laws of Kentucky now or hereafter enacted.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 569. An Act relating to Roads and Highways, and placing on the Primary System a road beginning on Route 22 in Williamstown, Kentucky, and ending at Kelat, in Harrison County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be added to the Primary System of roads and made a part of the Primary Road System of Kentucky, the following road: Beginning in Williamstown, Kentucky, at the junction of State Highway No. 22, follow Cynthiana road to top of the hill to the Bonar pike; thence turning right on the Bonar pike to the Shinkle and Shield's pike; thence following Shinkle and Shield's pike past the Oak Ridge Church to Ashbrook pike; thence turning left on Ashbrook pike to the Bill Martin pike; thence turning right on Bill Martin pike and follow to Stone Schoolhouse; thence turning left at Stone Schoolhouse to Marcus Church; thence from Marcus Church bearing to right by the way of Durbantown, Colemansville and Berry Station; thence on to Kelat.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. No. 570. An Act relating to establishing as a part of the Primary System of State Highways of Kentucky, a road running from United States Highway No. 25, near Crittenden, Ky., to connect with United States Highway No. 27, in Pendleton County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the Primary System of the State Highways of the Commonwealth of Kentucky, a road running from a point near the south corporate limits of the town of Crittenden in Grant County, Kentucky, on U. S. 25; thence easterly by the way of the home of Guy Collins to Gardnersville, and from said point easterly to connect with U. S. 27, in Pendleton County, Kentucky. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 11 of the Acts of the General Assembly of 1920, establishing and creating a Primary System of State Highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 571. An Act relating to roads and highways, and placing on the primary system a road beginning on Route 22 in Williamstown, Kentucky, and thence leading over the old Cynthiana Trail by Oak Ridge School House to Marcus Church, Durbantown and Colemansville, and leaving the old Cynthiana Trail at Colemansville and running by way of Berry Station, and connecting with United States Highway No. 27, at Kelat.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the road beginning about two hundred and fifty (250) yards of United States Highway No. 25 on Paris Street in Williamstown, Kentucky, on Route 22, and leading over the old Cynthiana Trail by the Oak Ridge School House to Marcus Church, Durbantown and Colemansville, and leaving the old Cynthiana Trail to Colemansville and running by way of Berry Station, and connecting with United States Highway No. 27, at Kelat, be made a part of the Primary Road System of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harold L. Barnes	Robert E. Beatty
Carroll D. Asbury	Marshall Barnes	B. F. Bedford

Wm. B. Belknap	Frank Harris	H. H. Miller
Reuben J. Boling	R. M. Harrison, Jr.	W. H. Miller
Jas. C. Bright	J. Joseph Hettinger	James B. Milliken
Corbett Brown	Dr. A. L. Hill	Tyler Munford
Wallace Brown	John R. Hobbs	James I. Peters
Mrs. Cecil Cantrill	G. W. Howard	M. D. Phelps
Charles Chandler	Ira W. Hulette	Steve Pieratt
J. A. Coleman	T. M. Johnson	Kleber F. Price
D. B. Coughlin	F. P. Kessee	Waylon Rayburn
Joel T. Crenshaw	J. H. King	W. P. Renfro
G. Cunningham	Leo King	L. D. Sandlin
Harry Davis	John Kirtley	Avery Sartin
R. A. Demunbrun	W. L. Knuckles, Jr.	Mrs. M. B. Scott
S. S. Dickson	Glenn W. Lane	Harry Sparks
George Dunlap	Alden L. Love	Elmore J. Thomas
Clarence E. Evans	M. T. McCarthy	Harry B. Thornton
T. P. Fitzpatrick	Herschel McKinley	Starling B. Tracy
J. B. Floyd	C. C. McMasters	Henry T. Ward
W. J. Garnett	Roy McWaters	Robt. E. Webb
C. Gottschalk	C. C. May	J. B. Wicker
J. S. Hall	J. S. Mattingly	B. M. Williams
Judson Harmon	L. B. Meadors	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 575. An Act creating and establishing as a part

of the primary system of highways of the Commonwealth of Kentucky a road beginning at Farmersville, running by the way of Rufus and intersecting the Wilson warehouse and Fredonia roads near the property of Dick Kemp in Caldwell County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Farmersville in Caldwell County running by the way of Rufus and intersecting the Wilson warehouse and Fredonia roads near the property owned by Dick Kemp. The distance is approximately six miles.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all rights, privileges, benefits, and conditions of all the laws now in force or which may hereafter be enacted affecting the primary system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harold L. Barnes	Robert E. Beatty
Carroll D. Asbury	Marshall Barnes	B. F. Bedford

Wm. B. Belknap	Frank Harris	H. H. Miller
Reuben J. Boling	R. M. Harrison, Jr.	W. H. Miller
Jas. C. Bright	J. Joseph Hettinger	James B. Milliken
Corbett Brown	Dr. A. L. Hill	Tyler Munford
Wallace Brown	John R. Hobbs	James I. Peters
Mrs. Cecil Cantrill	G. W. Howard	M. D. Phelps
Charles Chandler	Ira W. Hulette	Steve Pieratt
J. A. Coleman	T. M. Johnson	Kleber F. Price
D. B. Coughlin	F. P. Kessee	Waylon Rayburn
Joel T. Crenshaw	J. H. King	W. P. Renfro
G. Cunningham	Leo King	L. D. Sandlin
Harry Davis	John Kirtley	Avery Sartin
R. A. Demunbrun	W. L. Knuckles, Jr.	Mrs. M. B. Scott
S. S. Dickson	Glenn W. Lane	Harry Sparks
George Dunlap	Alden L. Love	Elmore J. Thomas
Clarence E. Evans	M. T. McCarthy	Harry B. Thornton
T. P. Fitzpatrick	Herschel McKinley	Starling B. Tracy
J. B. Floyd	C. C. McMasters	Henry T. Ward
W. J. Garnett	Roy McWaters	J. B. Wicker
C. Gottschalk	C. C. May	Robert E. Webb
J. S. Hall	J. S. Mattingly	B. M. Williams
Judson Harmon	L. B. Meadors	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 576. An Act relating to roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be established, as a part of the primary system of the State highways of the Commonwealth of Kentucky, a road beginning at Mt. Eden, Ky., with the intersection of Project No. 20 at Mt. Eden, Ky., and running by or near the farm of Jonas Stodgill, by or near the covered bridge over Big Beech Creek and by or near the farm of Sam McClain to a point intersecting the Taylorsville and Southville road at or near Little Mt. All of said road being in Spencer County, Kentucky.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by Chapter 17 of the Acts of the General Assembly of 1920 as amended, to the same effect as if said road had been made in the original acts as one of the projects of the primary system of the State highway as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Robert E. Beatty	Jas. C. Bright
Carroll D. Asbury	B. F. Bedford	Corbett Brown
Harold L. Barnes	Wm. B. Belknap	Wallace Brown
Marshall Barnes	Reuben J. Boling	Mrs. Cecil Cantrill

Charles Chandler	John R. Hobbs	James B. Milliken
J. A. Coleman	G. W. Howard	Tyler Munford
D. B. Coughlin	Ira W. Hulette	James I. Peters
Joel T. Crenshaw	T. M. Johnson	M. D. Phelps
G. Cunningham	F. P. Kessee	Steve Pieratt
Harry Davis	J. H. King	Kleber F. Price
R. A. Demunbrun	Leo King	Waylon Rayburn
S. S. Dickson	John Kirtley	W. P. Renfro
George Dunlap	W. L. Knuckles, Jr.	L. D. Sandlin
Clarence E. Evans	Glenn W. Lane	Avery Sartin
T. P. Fitzpatrick	Alden L. Love	Mrs. M. B. Scott
J. B. Floyd	M. T. McCarthy	Harry Sparks
W. J. Garnett	Herschel McKinley	Elmore J. Thomas
C. Gottschalk	C. C. McMasters	Harry B. Thornton
J. S. Hall	Roy McWaters	Starling B. Tracy
Judson Harmon	C. C. May	Henry T. Ward
Frank Harris	J. S. Mattingly	Robert E. Webb
R. M. Harrison, Jr.	L. B. Meadors	J. B. Wicker
J. Joseph Hettinger	H. H. Miller	B. M. Williams
Dr. A. L. Hill	W. H. Miller	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 577. An Act establishing as a part of the State highway system a road, project number ....., from Shady Grove, Crittenden County, Kentucky, to the Wilson Warehouse road in Caldwell County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is hereby established as a part of the primary system of state roads and highways in the Commonwealth of Kentucky, to-wit:

Beginning at Shady Grove in Crittenden County, Kentucky, thence to Old Quinn, lower Donaldson Bridge intersecting with the Wilson Warehouse highway in said county one-half mile west of the Wilson Warehouse Bridge, to be a part of the Laffoon Trail, a direct route connecting Madisonville, Hopkins County, with Marion, Crittenden County, Kentucky.

Said project shall be entitled to all the privileges, benefits, and conditions now given by any act to any of the primary roads in this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Jas. C. Bright	G. Cunningham
Carroll D. Asbury	Corbett Brown	Harry Davis
Harold L. Barnes	Wallace Brown	R. A. Demunbrun
Marshall Barnes	Mrs. Cecil Cantrill	S. S. Dickson
Robert E. Beatty	Charles Chandler	George Dunlap
B. F. Bedford	J. A. Coleman	Clarence E. Evans
Wm. B. Belknap	D. B. Coughlin	T. P. Fitzpatrick
Reuben J. Boling	Joel T. Crenshaw	J. B. Floyd

W. J. Garnett	W. L. Knuckles, Jr.	Steve Pieratt
C. Gottschalk	Glenn W. Lane	Kleber F. Price
J. S. Hall	Alden L. Love	Waylon Rayburn
Judson Harmon	M. T. McCarthy	W. P. Renfro
Frank Harris	Herschel McKinley	L. D. Sandlin
R. M. Harrison, Jr.	C. C. McMasters	Avery Sartin
J. Joseph Hettinger	Roy McWaters	Mrs. M. B. Scott
Dr. A. L. Hill	C. C. May	Harry Sparks
John R. Hobbs	J. S. Mattingly	Elmore J. Thomas
G. W. Howard	L. B. Meadors	Harry B. Thornton
Ira W. Hulette	H. H. Miller	Starling B. Tracy
T. M. Johnson	W. H. Miller	Henry T. Ward
F. P. Kessee	James B. Milliken	Robert E. Webb
J. H. King	Tyler Munford	J. B. Wicker
Leo King	James I. Peters	B. M. Williams
John Kirtley	M. D. Phelps	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 578. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Farmersville in Caldwell County by the way of Flatrock to intersect the Wilson warehouse road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Farmersville in Caldwell County running by the way of Flatrock to intersect the Wilson warehouse road.

§ 2. That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Charles Chandler	W. J. Garnett
Carroll D. Asbury	J. A. Coleman	C. Gottschalk
Harold L. Barnes	D. B. Coughlin	J. S. Hall
Marshall Barnes	Joel T. Crenshaw	Judson Harmon
Robert E. Beatty	G. Cunningham	Frank Harris
B. F. Bedford	Harry Davis	R. M. Harrison, Jr.
Wm. B. Belknap	R. A. Demunbrun	J. Joseph Hettinger
Reuben J. Boling	S. S. Dickson	Dr. A. L. Hill
Jas. C. Bright	George Dunlap	John R. Hobbs
Corbett Brown	Clarence E. Evans	G. W. Howard
Wallace Brown	T. P. Fitzpatrick	Ira W. Hulette
Mrs. Cecil Cantrill	J. B. Floyd	T. M. Johnson

F. P. Kessee	J. S. Mattingly	L. D. Sandlin
J. H. King	L. B. Meadors	Avery Sartin
Leo King	H. H. Miller	Mrs. M. B. Scott
John Kirtley	W. H. Miller	Harry Sparks
W. L. Knuckles, Jr.	James B. Milliken	Elmore J. Thomas
Glenn W. Lane	Tyler Munford	Harry B. Thornton
Alden L. Love	James I. Peters	Starling B. Tracy
M. T. McCarthy	M. D. Phelps	Henry T. Ward
Herschel McKinley	Steve Pieratt	Robt. E. Webb
C. C. McMasters	Kleber F. Price	J. B. Wicker
Roy McWaters	Waylon Rayburn	B. M. Williams
C. C. May	W. P. Renfro	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 580. An Act relating to roads and highways and describing and establishing a project to be added to the State primary system of roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of this Commonwealth, as created by Chapter 17 of the

Acts of the General Assembly of 1920 and the amendments thereto, the following project, to-wit:

Beginning at a point on Highway No. 60 in the town of Stanley near the Old Flour Mill Site, thence with the Old Stanley-Owensboro Rock road north about one mile, east about one mile and a half to a point where a dirt road running north and south between the lands of Purdy McCarty, etc., intersects the Old Stanley-Owensboro Rock road, thence north about one-half mile to the Ohio River.

§ 2. Said project thus established to be a part of the primary system of roads and highways and to be entitled to all of the benefits and subject to all the laws now or hereafter in force in relation to same.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Mrs. Cecil Cantrill	T. P. Fitzpatrick
Carroll D. Asbury	Charles Chandler	J. B. Floyd
Harold L. Barnes	J. A. Coleman	W. J. Garnett
Marshall Barnes	D. B. Coughlin	C. Gottschalk
Robert E. Beatty	Joel T. Crenshaw	J. S. Hall
B. F. Bedford	G. Cunningham	Judson Harmon
Wm. B. Belknap	Harry Davis	Frank Harris
Reuben J. Boling	R. A. Demunbrun	R. M. Harrison, Jr.
Jas. C. Bright	S. S. Dickson	J. Joseph Hettinger
Corbett Brown	George Dunlap	Dr. A. L. Hill
Wallace Brown	Clarence E. Evans	John R. Hobbs

G. W. Howard	Roy McWaters	W. P. Renfro
Ira W. Hulette	C. C. May	L. D. Sandlin
T. M. Johnson	J. S. Mattingly	Avery Sartin
F. P. Kessee	L. B. Meadors	Mrs. M. B. Scott
J. H. King	H. H. Miller	Harry Sparks
Leo King	W. H. Miller	Elmore J. Thomas
John Kirtley	James B. Milliken	Harry B. Thornton
W. L. Knuckles, Jr.	Tyler Munford	Starling B. Tracy
Glenn W. Lane	James I. Peters	Henry T. Ward
Alden L. Love	M. D. Phelps	Robert E. Webb
M. T. McCarthy	Steve Pieratt	J. B. Wicker
Herschel McKinley	Kleber F. Price	B. M. Williams
C. C. McMasters	Waylon Rayburn	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 581.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Commencing Elizaville and running through Nepton to No. 68 about two miles south of Mays Lick, Mason County, road known as Elizaville–Mays Lick road in Fleming and Mason Counties. Estimated distance four miles in Fleming and three miles in Mason.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 582.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Commencing at Hillsboro, Fleming County, running through Sunset then following dirt road to Days Mill pike at barn of Wood Graham, thence, following the Days Mill pike to Tilton intersecting Fields Highway at Tilton. Estimated distance about nine miles.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	B. F. Bedford	Wallace Brown
Carroll D. Asbury	Wm. B. Belknap	Mrs. Cecil Cantrill
Harold L. Barnes	Reuben J. Boling	Charles Chandler
Marshall Barnes	Jas. C. Bright	J. A. Coleman
Robert E. Beatty	Corbett Brown	D. B. Coughlin

Joel T. Crenshaw	Ira W. Hulette	Tyler Munford
G. Cunningham	T. M. Johnson	James I. Peters
Harry Davis	F. P. Kessee	M. D. Phelps
R. A. Demunbrun	J. H. King	Steve Pieratt
S. S. Dickson	Leo King	Kleber F. Price
George Dunlap	John Kirtley	Waylon Rayburn
Clarence E. Evans	W. L. Knuckles, Jr.	W. P. Renfro
T. P. Fitzpatrick	Glenn W. Lane	L. D. Sandlin
J. B. Floyd	Alden L. Love	Avery Sartin
W. J. Garnett	M. T. McCarthy	Mrs. M. B. Scott
C. Gottschalk	Herschel McKinley	Harry Sparks
J. S. Hall	C. C. McMasters	Elmore J. Thomas
Judson Harmon	Roy McWaters	Harry B. Thornton
Frank Harris	C. C. May	Starling B. Tracy
R. M. Harrison, Jr.	J. S. Mattingly	Henry T. Ward
J. Joseph Hettinger	L. B. Meadors	Robert E. Webb
Dr. A. L. Hill	H. H. Miller	J. B. Wicker
John R. Hobbs	W. H. Miller	B. M. Williams
G. W. Howard	James B. Milliken	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 583. An Act relating to roads and bridges and establishing as a part of the primary system of State Highways a road leading from United States Highway No. 227 at Wheatley in Owen County, Kentucky; thence in an easterly direc-

tion by Souther Brothers' farm to the old New Liberty and Moxley pike at old Toll Gate House on Little Twin Creek; thence by J. J. McNeal and L. P. Alexander farms to Moxley near the Kentucky River on the Owen County side thereof, and designating the same as State Project No. .....

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the Primary System of State Highways of Kentucky a road beginning at and leading from United States Highway No. 227 at Wheatley in Owen County, Kentucky; thence in an easterly direction by Souther Brothers' farm to the old New Liberty and Moxley pike at old toll gate house on Little Twin Creek; thence by J. J. McNeal and L. P. Alexander farms to Moxley near the Kentucky River on the Owen county side thereof, and the said road shall be designated as Project No. ..... and be entitled to and receive all the benefits of such laws as are now, or may be hereafter in effect with the relation to the Primary Road System of this State.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Marshall Barnes	Wm. B. Belknap
Carroll D. Asbury	Robert E. Beatty	Reuben J. Boling
Harold L. Barnes	B. F. Bedford	Jas. C. Bright

Corbett Brown	J. Joseph Hettinger	W. H. Miller
Wallace Brown	Dr. A. L. Hill	James B. Milliken
Mrs. Cecil Cantrill	John R. Hobbs	Tyler Munford
Charles Chandler	G. W. Howard	James I. Peters
J. A. Coleman	Ira W. Hulette	M. D. Phelps
D. B. Coughlin	T. M. Johnson	Steve Pieratt
Joel T. Crenshaw	F. P. Kessee	Kleber F. Price
G. Cunningham	J. H. King	Waylon Rayburn
Harry Davis	Leo King	W. P. Renfro
R. A. Demunbrun	John Kirtley	L. D. Sandlin
S. S. Dickson	W. L. Knuckles, Jr.	Avery Sartin
George Dunlap	Glenn W. Lane	Mrs. M. B. Scott
Clarence E. Evans	Alden L. Love	Harry Sparks
T. P. Fitzpatrick	M. T. McCarthy	Elmore J. Thomas
J. B. Floyd	Herschel McKinley	Harry B. Thornton
W. J. Garnett	C. C. McMasters	Starling B. Tracy
C. Gottschalk	Roy McWaters	Henry T. Ward
J. S. Hall	C. C. May	Robert E. Webb
Judson Harmon	J. S. Mattingly	J. B. Wicker
Frank Harris	L. B. Meadors	B. M. Williams
R. M. Harrison, Jr.	H. H. Miller	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 589. An Act establishing as a part of the primary road system a road in Logan County, beginning at the inter-

section of Lewisburg and Homer road with Morgantown and Hopkinsville road at Sutton's Bridge and extending by way of Homer and Inscoe to a point of intersection with the Russellville-Morgantown road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of highways the road in Logan County, Kentucky, beginning at the intersection of Lewisburg-Homer road and the Morgantown-Hopkinsville road near Sutton's Bridge on Mud River and extending in a southeasterly direction by way of Inscoe and Homer to where the same intersects with the Russellville-Morgantown road near Chandler's Chapel.

The construction and maintenance of said highway shall be carried on under the plans adopted or to be adopted for the construction and maintenance of roads under the primary system, and said road shall be entitled to all the privileges of same.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Robert E. Beatty	Jas. C. Bright
Carroll D. Asbury	B. F. Bedford	Corbett Brown
Harold L. Barnes	Wm. B. Belknap	Wallace Brown
Marshall Barnes	Reuben J. Boling	Mrs. Cecil Cantrill

Charles Chandler	John R. Hobbs	James B. Milliken
J. A. Coleman	G. W. Howard	Tyler Munford
D. B. Coughlin	Ira W. Hulette	James I. Peters
Joel T. Crenshaw	T. M. Johnson	M. D. Phelps
G. Cunningham	F. P. Kessee	Steve Pieratt
Harry Davis	J. H. King	Kleber F. Price
R. A. Demunbrun	Leo King	Waylon Rayburn
S. S. Dickson	John Kirtley	W. P. Renfro
George Dunlap	W. L. Knuckles, Jr.	L. D. Sandlin
Clarence E. Evans	Glenn W. Lane	Avery Sartin
T. P. Fitzpatrick	Alden L. Love	Mrs. M. B. Scott
J. B. Floyd	M. T. McCarthy	Harry Sparks
W. J. Garnett	Herschel McKinley	Elmore J. Thomas
C. Gottschalk	C. C. McMasters	Harry B. Thornton
J. S. Hall	Roy McWaters	Starling B. Tracy
Judson Harmon	C. C. May	Henry T. Ward
Frank Harris	J. S. Mattingly	Robt. E. Webb
R. M. Harrison, Jr.	L. B. Meadors	J. B. Wicker
J. Joseph Hettinger	H. H. Miller	B. M. Williams
Dr. A. L. Hill	W. H. Miller	

—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 590. An Act establishing as a part of the primary road system a road in Todd and Logan Counties beginning at a point in Highway No. 60, near the farm of T. N. Lyne and

extending to the public school near Daiesville, Todd County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of highways of the Commonwealth a road beginning at a point in Highway Number 60, near the farm of T. N. Lyne in Logan County and extending to a point near the public school near Daiesville, Todd County, Kentucky.

The construction and maintenance of said road shall be under the plans adopted or which shall be adopted in regard to the construction and maintenance of roads of the primary system, and said road shall be entitled to all of said privileges of said primary roads.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Jas. C. Bright	G. Cunningham
Carroll D. Asbury	Corbett Brown	Harry Davis
Harold L. Barnes	Wallace Brown	R. A. Demunbrun
Marshall Barnes	Mrs. Cecil Cantrill	S. S. Dickson
Robert E. Beatty	Charles Chandler	George Dunlap
B. F. Bedford	J. A. Coleman	Clarence E. Evans
Wm. B. Belknap	D. B. Coughlin	T. P. Fitzpatrick
Reuben J. Boling	Joel T. Crenshaw	J. B. Floyd

W. J. Garnett	W. L. Knuckles, Jr.	Steve Pieratt
C. Gottschalk	Glenn W. Lane	Kleber F. Price
J. S. Hall	Alden L. Love	Waylon Rayburn
Judson Harmon	M. T. McCarthy	W. P. Renfro
Frank Harris	Herschel McKinley	L. D. Sandlin
R. M. Harrison, Jr.	C. C. McMasters	Avery Sartin
J. Joseph Hettinger	Roy McWaters	Mrs. M. B. Scott
Dr. A. L. Hill	C. C. May	Harry Sparks
John R. Hobbs	J. S. Mattingly	Elmore J. Thomas
G. W. Howard	L. B. Meadors	Harry B. Thornton
Ira W. Hulette	H. H. Miller	Starling B. Tracy
T. M. Johnson	W. H. Miller	Henry T. Ward
F. P. Kessee	James B. Milliken	Robert E. Webb
J. H. King	Tyler Munford	J. B. Wicker
Leo King	James I. Peters	B. M. Williams
John Kirtley	M. D. Phelps	

—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 593. An Act to establish as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at State Highway No. 37 (at or near the H. P. Stewart farm) in Trimble County, Kentucky, in a westward direction to Little Kentucky Creek and thence in a like direction over said creek to Federal Highway No. 42 at a point at or near the farm of Ira Burnett or the W. D. Tandy farm.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at State Highway No. 37 (at or near the H. P. Stewart farm) in Trimble County, Kentucky, in a westward direction to Little Kentucky Creek and thence in a like direction over said creek to Federal Highway No. 42, at a point at or near the farm of Ira Burnett or the W. D. Tandy farm, and designated as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly, 1920, as amended.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Jas. C. Bright	G. Cunningham
Carroll D. Asbury	Corbett Brown	Harry Davis
Harold L. Barnes	Wallace Brown	R. A. Demunbrun
Marshall Barnes	Mrs. Cecil Cantrill	S. S. Dickson
Robert E. Beatty	Charles Chandler	George Dunlap
B. F. Bedford	J. A. Coleman	Clarence E. Evans
Wm. B. Belknap	D. B. Coughlin	T. P. Fitzpatrick
Reuben J. Boling	Joel T. Crenshaw	J. B. Floyd

W. J. Garnett	W. L. Knuckles, Jr.	Steve Pieratt
C. Gottschalk	Glenn W. Lane	Kleber F. Price
J. S. Hall	Alden L. Love	Waylon Rayburn
Judson Harmon	M. T. McCarthy	W. P. Renfro
Frank Harris	Herschel McKinley	L. D. Sandlin
R. M. Harrison, Jr.	C. C. McMasters	Avery Sartin
J. Joseph Hettinger	Roy McWaters	Mrs. M. B. Scott
Dr. A. L. Hill	C. C. May	Harry Sparks
John R. Hobbs	J. S. Mattingly	Elmore J. Thomas
G. W. Howard	L. B. Meadors	Harry B. Thornton
Ira W. Hulette	H. H. Miller	Starling B. Tracy
T. M. Johnson	W. H. Miller	Henry T. Ward
F. P. Kessee	James B. Milliken	Robert E. Webb
J. H. King	Tyler Munford	J. B. Wicker
Leo King	James I. Peters	B. M. Williams
John Kirtley	M. D. Phelps	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 597. An Act to add to the primary road system of the Commonwealth of Kentucky, a road beginning at a point at Blacksnake on Browney's Creek Project Number 505, and leading up Brownie's Creek to its head, thence across the mountain and down Martin's Fork to intersect Project Number 506 at or near Smith, Harlan County, Kentucky, a distance of about .....miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby created or established as a part of the primary system of the public roads of this Commonwealth of Kentucky, a road beginning at a point at or near Blacksnake on Browney's Creek, Project Number 505 and leading up Brownie's Creek to its head, thence across the mountain and down Martin's Fork to intersect with Project Number 506 at or near Smith, Harlan County, Kentucky. A distance of about .....miles. The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the General Assembly of 1920, establishing and creating a primary system of State highways, the same as though said road had been named in the original Act as one of said primary system of highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wm. B. Belknap	Charles Chandler
Carroll D. Asbury	Reuben J. Boling	J. A. Coleman
Harold L. Barnes	Jas. C. Bright	D. B. Coughlin
Marshall Barnes	Corbett Brown	Joel T. Crenshaw
Robert E. Beatty	Wallace Brown	G. Cunningham
B. F. Bedford	Mrs. Cecil Cantrill	Harry Davis

R. A. Demunbrun	F. P. Kessee	James I. Peters
S. S. Dickson	J. H. King	M. D. Phelps
George Dunlap	Leo King	Steve Pieratt
Clarence E. Evans	John Kirtley	Kleber F. Price
T. P. Fitzpatrick	W. L. Knuckles, Jr.	Waylon Rayburn
J. B. Floyd	Glenn W. Lane	W. P. Renfro
W. J. Garnett	Alden L. Love	L. D. Sandlin
C. Gottschalk	M. T. McCarthy	Avery Sartin
J. S. Hall	Herschel McKinley	Mrs. M. B. Scott
Judson Harmon	C. C. McMasters	Harry Sparks
Frank Harris	Roy McWaters	Elmore J. Thomas
R. M. Harrison, Jr.	C. C. May	Harry B. Thornton
J. Joseph Hettinger	J. S. Mattingly	Starling B. Tracy
Dr. A. L. Hill	L. B. Meadors	Henry T. Ward
John R. Hobbs	H. H. Miller	Robert E. Webb
G. W. Howard	W. H. Miller	J. B. Wicker
Ira W. Hulette	James B. Milliken	B. M. Williams
T. M. Johnson	Tyler Munford	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 598. An Act relating to roads and highways and establishing as a part of the primary system of state highways a road leading from Morning View in Kenton County, Kentucky; thence in a southerly direction to Demossville in Pendleton County; and thence to Butler; and thence to Lynn;

and thence to Falmouth, connecting with Route 27 at Falmouth.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is established as a part of the primary system of state highways of Kentucky, a road beginning at Morning View in Kenton County, Kentucky; then running in a southerly direction to Demossville in Pendleton County; and thence to Butler; and thence to Lynn; and thence to Falmouth, connecting with Route 27 at Falmouth. Said road shall be entitled to and receive all the benefits of such laws as are now or may be hereafter in effect, with relation to the primary road system in this state.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Corbett Brown	R. A. Demunbrun
Carroll D. Asbury	Wallace Brown	S. S. Dickson
Harold L. Barnes	Mrs. Cecil Cantrill	George Dunlap
Marshall Barnes	Charles Chandler	Clarence E. Evans
Robert E. Beatty	J. A. Coleman	T. P. Fitzpatrick
B. F. Bedford	D. B. Coughlin	J. B. Floyd
Wm. B. Belknap	Joel T. Crenshaw	W. J. Garnett
Reuben J. Boling	G. Cunningham	C. Gottschalk
Jas. C. Bright	Harry Davis	J. S. Hall

Judson Harmon	Alden L. Love	Kleber F. Price
Frank Harris	M. T. McCarthy	Waylon Rayburn
R. M. Harrison, Jr.	Herschel McKinley	W. P. Renfro
J. Joseph Hettinger	C. C. McMasters	L. D. Sandlin
Dr. A. L. Hill	Roy McWaters	Avery Sartin
John R. Hobbs	C. C. May	Mrs. M. B. Scott
G. W. Howard	J. S. Mattingly	Harry Sparks
Ira W. Hulette	L. B. Meadors	Elmore J. Thomas
T. M. Johnson	H. H. Miller	Harry B. Thornton
F. P. Kessee	W. H. Miller	Starling B. Tracy
J. H. King	James B. Milliken	Henry T. Ward
Leo King	Tyler Munford	Robert E. Webb
John Kirtley	James I. Peters	J. B. Wicker
W. L. Knuckles, Jr.	M. D. Phelps	B. M. Williams
Glenn W. Lane	Steve Pieratt	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 607. An Act adding to the State Primary System of highways a road from Red Lick, Ky., to Breeding, Ky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the state primary

system of highways a road beginning on State Highway No. 80 at Redlick, Ky., via Ed Jesse's to Breeding, Ky.

The road project herein established shall be subject to all conditions and benefits of all laws now in force or hereafter enacted pertaining to roads in the Commonwealth.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	George Dunlap	W. L. Knuckles, Jr.
Carroll D. Asbury	Clarence E. Evans	Glenn W. Lane
Harold L. Barnes	T. P. Fitzpatrick	Alden L. Love
Marshall Barnes	J. B. Floyd	M. T. McCarthy
Robert E. Beatty	W. J. Garnett	Herschel McKinley
B. F. Bedford	C. Gottschalk	C. C. McMasters
Wm. B. Belknap	J. S. Hall	Roy McWaters
Reuben J. Boling	Judson Harmon	C. C. May
Jas. C. Bright	Frank Harris	J. S. Mattingly
Corbett Brown	R. M. Harrison, Jr.	L. B. Meadors
Wallace Brown	J. Joseph Hettinger	H. H. Miller
Mrs. Cecil Cantrill	Dr. A. L. Hill	W. H. Miller
Charles Chandler	John R. Hobbs	James B. Milliken
J. A. Coleman	G. W. Howard	Tyler Munford
D. B. Coughlin	Ira W. Hulette	James I. Peters
Joel T. Crenshaw	T. M. Johnson	M. D. Phelps
G. Cunningham	F. P. Kessee	Steve Pieratt
Harry Davis	J. H. King	Kleber F. Price
R. A. Demunbrun	Leo King	Waylon Rayburn
S. S. Dickson	John Kirtley	W. P. Renfro

L. D. Sandlin	Elmore J. Thomas	Robert E. Webb	
Avery Sartin	Harry B. Thornton	J. B. Wicker	
Mrs. M. B. Scott	Starling B. Tracy	B. M. Williams	
Harry Sparks	Henry T. Ward		—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 608. An Act relating to the state primary system of highways by adding thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the state primary system of highways a road project beginning at a point in the Edmonton-Greensburg State Highway at or near Ellis Cassady's store via Henry Toby's store and Clerk's Corner schoolhouse to Sam Hill's store and intersecting with State Project No. ....., from Wisdom to Hardyville.

The road project herein established shall be entitled to all rights, conditions and benefits of the laws now in force or hereafter established relating to state highways in this Commonwealth.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 609. An Act establishing as a part of the State primary system a road project from Edmonton-Glasgow highway No. 80 near Edmonton, Ky., to Randolph, Ky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby created and established as part of the state primary system of highways, a road beginning at Edmonton-Glasgow highway No. 80 near Edmonton, Ky., thence via Henry Thompson's, and M. P. McFarland's to Randolph intersecting Project No. ..... from Summer Shade to Wisdom.

The project herein established shall be subject to all laws for the benefit of other state highways of the State of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to,

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 610. An Act adding to the state primary system of highways a road connecting Gamaliel, Ky., with State Highway No. 37B.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as part of the state primary system of highways a road beginning on Main Street in the town of Gamaliel, Monroe County, Ky., via Washington Ave., to State Highway No. 37B, a distance of approximately ¼ mile.

This road project shall be subject to all conditions and benefits of all laws now in force or hereafter enacted relating to state highways in this Commonwealth.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wm. B. Belknap	Charles Chandler
Carroll D. Asbury	Reuben J. Boling	J. A. Coleman
Harold L. Barnes	Jas. C. Bright	D. B. Coughlin
Marshall Barnes	Corbett Brown	Joel T. Crenshaw
Robert E. Beatty	Wallace Brown	G. Cunningham
B. F. Bedford	Mrs. Cecil Cantrill	Harry Davis

R. A. Demunbrun	F. P. Kessee	James I. Peters
S. S. Dickson	J. H. King	M. D. Phelps
George Dunlap	Leo King	Steve Pieratt
Clarence E. Evans	John Kirtley	Kleber F. Price
T. P. Fitzpatrick	W. L. Knuckles, Jr.	Waylon Rayburn
J. B. Floyd	Glenn W. Lane	W. P. Renfro
W. J. Garnett	Alden L. Love	L. D. Sandlin
C. Gottschalk	M. T. McCarthy	Avery Sartin
J. S. Hall	Herschel McKinley	Mrs. M. B. Scott
Judson Harmon	C. C. McMasters	Harry Sparks
Frank Harris	Roy McWaters	Elmore J. Thomas
R. M. Harrison, Jr.	C. C. May	J. Sterling Towles
J. Joseph Hettinger	J. S. Mattingly	Starling B. Tracy
Dr. A. L. Hill	L. B. Meadors	Henry T. Ward
John R. Hobbs	H. H. Miller	Robert E. Webb
G. W. Howard	W. H. Miller	J. B. Wicker
Ira W. Hulette	James B. Milliken	B. M. Williams
T. M. Johnson	Tyler Munford	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 612. An Act relating to roads and highways and describing and establishing a project to be added to the primary system of state roads and highways, running from Mastertown near Bird Earls, south by George Lawsons to Green Harp's Store at Barton postoffice.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of the highways in this Commonwealth as created by Chapter 17, of the Acts of 1920 General Assembly, and amended by session acts of 1922, 1924, 1926 and 1928, the following project, running from Mastertown near Bird Earls, south by George Lawson to Green Harp's Store at Barton postoffice.

This road thus established is to be designated as Project No. ....., and as the Green Harp highway, and to be entitled to and receive all benefits of such laws as are now or may hereinafter be in effect relating to the primary system of highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Corbett Brown	R. A. Demunbrun
Carroll D. Asbury	Wallace Brown	S. S. Dickson
Harold L. Barnes	Mrs. Cecil Cantrill	George Dunlap
Marshall Barnes	Charles Chandler	Clarence E. Evans
Robert E. Beatty	J. A. Coleman	T. P. Fitzpatrick
B. F. Bedford	D. B. Coughlin	J. B. Floyd
Wm. B. Belknap	Joel T. Crenshaw	W. J. Garnett
Reuben J. Boling	G. Cunningham	C. Gottschalk
Jas. C. Bright	Harry Davis	J. S. Hall

Judson Harmon	Alden L. Love	Kleber F. Price
Frank Harris	M. T. McCarthy	Waylon Rayburn
R. M. Harrison, Jr.	Herschel McKinley	W. P. Renfro
J. Joseph Hettinger	C. C. McMasters	L. D. Sandlin
Dr. A. L. Hill	Roy McWaters	Avery Sartin
John R. Hobbs	C. C. May	Mrs. M. B. Scott
G. W. Howard	J. S. Mattingly	Harry Sparks
Ira W. Hulette	L. B. Meadors	Elmore J. Thomas
T. M. Johnson	H. H. Miller	Harry B. Thornton
F. P. Kessee	W. H. Miller	Starling B. Tracy
J. H. King	James B. Milliken	Henry T. Ward
Leo King	Tyler Munford	Robert E. Webb
John Kirtley	James I. Peters	J. B. Wicker
W. L. Knuckles, Jr.	M. D. Phelps	B. M. Williams
Glenn W. Lane	Steve Pieratt	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 613. An Act relating to roads and highways and describing and establishing a project to be added to the state primary system of roads and highways, running from Clio Postoffice south by Jabe White's to Redbird Road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary system of the highways in this Commonwealth as created by Chapter 17, of the Acts of the General Assembly of 1920, and amended by session acts of 1922, 1924, 1926 and 1928, the following project, to-wit, running from Clio Postoffice south by Jabe White's to Redbird road.

This road thus established to be designated as Project No. ....., and to be known as the Jabe White Highway, and to be entitled to and receive all benefits of such laws as are now or hereinafter may be relating to the primary system of highways in this Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	D. B. Coughlin	Frank Harris
Carroll D. Asbury	Joel T. Crenshaw	R. M. Harrison, Jr.
Harold L. Barnes	G. Cunningham	J. Joseph Hettinger
Marshall Barnes	Harry Davis	Dr. A. L. Hill
Robert E. Beatty	R. A. Demunbrun	John R. Hobbs
B. F. Bedford	S. S. Dickson	G. W. Howard
Wm. B. Belknap	George Dunlap	Ira W. Hulette
Reuben J. Boling	Clarence E. Evans	T. M. Johnson
Jas. C. Bright	T. P. Fitzpatrick	F. P. Kessee
Corbett Brown	J. B. Floyd	J. H. King
Wallace Brown	W. J. Garnett	Leo King
Mrs. Cecil Cantrill	C. Gottschalk	John Kirtley
Charles Chandler	J. S. Hall	W. L. Knuckles, Jr.
J. A. Coleman	Judson Harmon	Glenn W. Lane

Alden L. Love	James B. Milliken	Mrs. M. B. Scott
M. T. McCarthy	Tyler Munford	Harry Sparks
Herschel McKinley	James I. Peters	Elmore J. Thomas
C. C. McMasters	M. D. Phelps	Harry B. Thornton
Roy McWaters	Steve Pieratt	Starling B. Tracy
C. C. May	Kleber F. Price	Henry T. Ward
J. S. Mattingly	Waylon Rayburn	Robert E. Webb
L. B. Meadors	W. P. Renfro	J. B. Wicker
H. H. Miller	L. D. Sandlin	B. M. Williams
W. H. Miller	Avery Sartin	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 614. An Act relating to roads and highways and describing and establishing a project to be added to the state primary system of roads and highways running from Wilson's store northwest to Millard Hill near Laurel River.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the primary system of the highways of this Commonwealth as created by

Chapter 17 of the Acts of the General Assembly of 1920 and amended by session acts of 1922, 1924, 1926 and 1928, the following project to-wit:

Running from Wilson's store on highway near Corbin northwest by Rev. Bill Prewitt store to Millard Hill, on Laurel River, this road thus established is to be designated as Project No. ....., and to be known as the Prewitt Highway, in honor to the Rev. Bill Prewitt of Rice, Kentucky, and is to be entitled to all the benefits of such laws as are now or may hereinafter be in effect relating to the primary system of highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	D. B. Coughlin	Frank Harris
Carroll D. Asbury	Joel T. Crenshaw	R. M. Harrison, Jr.
Harold L. Barnes	G. Cunningham	J. Joseph Hettinger
Marshall Barnes	Harry Davis	Dr. A. L. Hill
Robert E. Beatty	R. A. Demunbrun	John R. Hobbs
B. F. Bedford	S. S. Dickson	G. W. Howard
Wm. B. Belknap	George Dunlap	Ira W. Hulette
Reuben J. Boling	Clarence E. Evans	T. M. Johnson
Jas. C. Bright	T. P. Fitzpatrick	F. P. Kessee
Corbett Brown	J. B. Floyd	J. H. King
Wallace Brown	W. J. Garnett	Leo King
Mrs. Cecil Cantrill	C. Gottschalk	John Kirtley
Charles Chandler	J. S. Hall	W. L. Knuckles, Jr.
J. A. Coleman	Judson Harmon	Glenn W. Lane

Alden L. Love	James B. Milliken	Mrs. M. B. Scott
M. T. McCarthy	Tyler Munford	Harry Sparks
Herschel McKinley	James I. Peters	Elmore J. Thomas
C. C. McMasters	M. D. Phelps	Harry B. Thornton
Roy McWaters	Steve Pieratt	Starling B. Tracy
C. C. May	Kleber F. Price	Henry T. Ward
J. S. Mattingly	Waylon Rayburn	Robert E. Webb
L. B. Meadors	W. P. Renfro	J. B. Wicker
H. H. Miller	L. D. Sandlin	B. M. Williams
W. H. Miller	Avery Sartin	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 615. An Act relating to roads and highways, and describing and establishing a project to be added to the state primary system of roads, running from Pete Smith on Redbird road south through Backs Creek to Pine Knot road near Jellico Creek Bridge.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the state primary system of highways of this Commonwealth as created by Chapter 17 of the Acts of the General Assembly of 1920, and

amended by session acts of 1922, 1924, 1926 and 1928 the following project, to-wit: Running from Rev. Pete Smith on Redbird road south by Backs Creek to the Pine Knot road near the Jellico Creek Bridge.

This road thus established is to be designated as Project No. ....., and to be known as the Smith Highway in honor to Rev. Pete Smith, and to be entitled to and receive all benefits of such laws as are now or may hereinafter be in effect relating to the primary system of highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Joel T. Crenshaw	J. Joseph Hettinger
Carroll D. Asbury	G. Cunningham	Dr. A. L. Hill
Harold L. Barnes	Harry Davis	John R. Hobbs
Marshall Barnes	R. A. Demunbrun	G. W. Howard
Robert E. Beatty	S. S. Dickson	Ira W. Hulette
B. F. Bedford	George Dunlap	T. M. Johnson
Wm. B. Belknap	Clarence E. Evans	F. P. Kessee
Reuben J. Boling	T. P. Fitzpatrick	J. H. King
Jas. C. Bright	J. B. Floyd	Leo King
Corbett Brown	W. J. Garnett	John Kirtley
Wallace Brown	C. Gottschalk	W. L. Knuckles, Jr.
Mrs. Cecil Cantrill	J. S. Hall	Glenn W. Lane
Charles Chandler	Judson Harmon	Alden L. Love
J. A. Coleman	Frank Harris	M. T. McCarthy
D. B. Coughlin	R. M. Harrison, Jr.	Herschel McKinley

C. C. McMasters
Roy McWaters
C. C. May
J. S. Mattingly
L. B. Meadors
H. H. Miller
W. H. Miller
James B. Milliken
Tyler Munford
James I. Peters
M. D. Phelps
Steve Pieratt
Kleber F. Price
Waylon Rayburn
W. P. Renfro
L. D. Sandlin
Avery Sartin
Mrs. M. B. Scott
Harry Sparks
Elmore J. Thomas
Harry B. Thornton
Starling B. Tracy
Henry T. Ward
Robert E. Webb
J. B. Wicker
B. M. Williams
—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 616. An Act relating to roads and highways and describing and establishing a project to be added to the primary system of state roads and highways, running from Dick Early on Highway 25W, east up Jack's Fork to Tyes Ferry road, Maple Grove.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary system of the highways in this Commonwealth as created by Chapter 17, of the Acts of the General Assembly of 1920, and amended by session acts of 1922, 1924, 1926 and 1928, the fol-

lowing project to-wit: Running from Dick Early on Highway 25W, east up Jack's Fork to Tyes ferry road near Maple Grove.

This road thus established to be designated as Project No. ....., and to known as the Everett Bunch Highway, and to be entitled to and receive all benefits of such laws as are now or may hereinafter be in effect relating to the primary system of highways in the Commonwealth of Kentucky.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	G. Cunningham	John R. Hobbs
Carroll D. Asbury	Harry Davis	G. W. Howard
Harold L. Barnes	R. A. Demunbrun	Ira W. Hulette
Marshall Barnes	S. S. Dickson	T. M. Johnson
Robert E. Beatty	George Dunlap	F. P. Kessee
B. F. Bedford	Clarence E. Evans	J. H. King
Wm. B. Belknap	T. P. Fitzpatrick	Leo King
Reuben J. Boling	J. B. Floyd	John Kirtley
Jas. C. Bright	W. J. Garnett	W. L. Knuckles, Jr.
Corbett Brown	C. Gottschalk	Glenn W. Lane
Wallace Brown	J. S. Hall	Alden L. Love
Mrs. Cecil Cantrill	Judson Harmon	M. T. McCarthy
Charles Chandler	Frank Harris	Herschel McKinley
J. A. Coleman	R. M. Harrison, Jr.	C. C. McMasters
D. B. Coughlin	J. Joseph Hettinger	Roy McWaters
Joel T. Crenshaw	Dr. A. L. Hill	C. C. May

J. S. Mattingly	Steve Pieratt	Elmore J. Thomas
L. B. Meadors	Kleber F. Price	Harry B. Thornton
H. H. Miller	Waylon Rayburn	Starling B. Tracy
W. H. Miller	W. P. Renfro	Henry T. Ward
James B. Milliken	L. D. Sandlin	Robert E. Webb
Tyler Munford	Avery Sartin	J. B. Wicker
James I. Peters	Mrs. M. B. Scott	B. M. Williams
M. D. Phelps	Harry Sparks	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 617. An Act relating to roads and highways, and describing and establishing a project to be added to the state primary systems of roads, running from Redbird Bridge south to Pine Knot Road near George Meadors.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary system of the highways of this Commonwealth as created by Chapter 17, of the Acts of the General Assembly of 1920, 1924, 1926, and 1928, the following project to-wit: Running from Redbird Bridge south to Pine Knot Road near George Meadors, this road thus established is to be designated as

Project No. ....., and to be known as the Meadors Highway, in honor to George Meadors, and to be entitled to and receive all benefits of such laws as are now in effect or may hereinafter be in effect relating to the primary system of highways in this Commonwealth.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	George Dunlap	W. L. Knuckles, Jr.
Carroll D. Asbury	Clarence E. Evans	Glenn W. Lane
Harold L. Barnes	T. P. Fitzpatrick	Alden L. Love
Marshall Barnes	J. B. Floyd	M. T. McCarthy
Robert E. Beatty	W. J. Garnett	Herschel McKinley
B. F. Bedford	C. Gottschalk	C. C. McMasters
Wm. B. Belknap	J. S. Hall	Roy McWaters
Reuben J. Boling	Judson Harmon	C. C. May
Jas. C. Bright	Frank Harris	J. S. Mattingly
Corbett Brown	R. M. Harrison, Jr.	L. B. Meadors
Wallace Brown	J. Joseph Hettinger	H. H. Miller
Mrs. Cecil Cantrill	Dr. A. L. Hill	W. H. Miller
Charles Chandler	John R. Hobbs	James B. Milliken
J. A. Coleman	G. W. Howard	Tyler Munford
D. B. Coughlin	Ira W. Hulette	James I. Peters
Joel T. Crenshaw	G. C. Johnson	M. D. Phelps
G. Cunningham	F. P. Kessee	Steve Pieratt
Harry Davis	J. H. King	Kleber F. Price
R. A. Demunbrun	Leo King	Waylon Rayburn
S. S. Dickson	John Kirtley	W. P. Renfro

L. D. Sandlin	Elmore J. Thomas	Robert E. Webb
Avery Sartin	Harry B. Thornton	J. B. Wicker
Mrs. M. B. Scott	Starling B. Tracy	B. M. Williams
Harry Sparks	Henry T. Ward	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 620. An Act establishing as part of the primary system of state highways a road leading from State Project No. 126 as amended by act of the Legislature, Chapter 191, page 764, Acts of 1932, at Miller's Station Schoolhouse in Nicholas County, so as to intersect with U. S. Highway No. 68, about one mile east of Paris, in Bourbon County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky, a road beginning at State Project No. 126 at the Miller's Station Schoolhouse thereon in Nicholas County; thence to Miller's Station on the L. & N. R. R.; thence to the Pleasant Springs turnpike near the residence of Mrs. Jane Letton thereon; thence with the Pleasant Springs turnpike to Hinks-

ton Creek (Bourbon and Nicholas county line); thence along the Stoker turnpike to its intersection with the Millersburg and Black's crossroads turnpike; thence along the Millersburg and Black's crossroads turnpike to its intersection with the Paris and Jackstown turnpike to Black's crossroads; thence along the Paris and Jackstown turnpike to its intersection with U. S. Highway No. 68, about one mile east of Paris, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of State highways to the same effect as if said road had been named in the original act as one of the projects of the primary system of state highways, as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Corbett Brown	R. A. Demunbrun
Carroll D. Asbury	Wallace Brown	S. S. Dickson
Harold L. Barnes	Mrs. Cecil Cantrill	George Dunlap
Marshall Barnes	Charles Chandler	Clarence E. Evans
Robert E. Beatty	J. A. Coleman	T. P. Fitzpatrick
B. F. Bedford	D. B. Coughlin	J. B. Floyd
Wm. B. Belknap	Joel T. Crenshaw	W. J. Garnett
Reuben J. Boling	G. Cunningham	C. Gottschalk
Jas. C. Bright	Harry Davis	J. S. Hall

Judson Harmon	Alden L. Love	Kleber F. Price
Frank Harris	M. T. McCarthy	Waylon Rayburn
R. M. Harrison, Jr.	Herschel McKinley	W. P. Renfro
J. Joseph Hettinger	C. C. McMasters	L. D. Sandlin
Dr. A. L. Hill	Roy McWaters	Avery Sartin
John R. Hobbs	C. C. May	Mrs. M. B. Scott
G. W. Howard	J. S. Mattingly	Harry Sparks
Ira W. Hulette	L. B. Meadors	Elmore J. Thomas
T. M. Johnson	H. H. Miller	Harry B. Thornton
F. P. Kessee	W. H. Miller	Starling B. Tracy
J. H. King	James B. Milliken	Henry T. Ward
Leo King	Tyler Munford	Robert E. Webb
John Kirtley	James I. Peters	J. B. Wicker
W. L. Knuckles, Jr.	M. D. Phelps	B. M. Williams
Glenn W. Lane	Steve Pieratt	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 622. An Act to add to the state primary system of roads from the Jefferson County line near Prospect, Kentucky, by way of L. W. Kerlin and Irvin Wilson's farm to Federal Highway No. 42.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from the Jefferson County line at or near Prospect, Kentucky, by way of L. W. Kerlin and Irvin Wilson's farm parallel with the Ohio River by way of the Garvin Brothers farm to Federal Highway No. 42, and known as the Buckeye Lane Road, be and the same is hereby designated and established as part of the state highway of the Commonwealth of Kentucky, to be known as State Primary Road Project No. .....

§ 2. The said road to have and secure all benefits of the state primary road system under Chapter 17 of the Acts of 1920.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Mrs. Cecil Cantrill	T. P. Fitzpatrick
Carroll D. Asbury	Charles Chandler	J. B. Floyd
Harold L. Barnes	J. A. Coleman	W. J. Garnett
Marshall Barnes	D. B. Coughlin	C. Gottschalk
Robert E. Beatty	Joel T. Crenshaw	J. S. Hall
B. F. Bedford	G. Cunningham	Judson Harmon
Wm. B. Belknap	Harry Davis	Frank Harris
Reuben J. Boling	R. A. Demunbrun	R. M. Harrison, Jr.
Jas. C. Bright	S. S. Dickson	J. Joseph Hettinger
Corbett Brown	George Dunlap	Dr. A. L. Hill
Wallace Brown	Clarence E. Evans	John R. Hobbs

G. W. Howard	Roy McWaters	W. P. Renfro
Ira W. Hulette	C. C. May	L. D. Sandlin
T. M. Johnson	J. S. Mattingly	Avery Sartin
F. P. Kessee	L. B. Meadors	Mrs. M. B. Scott
J. H. King	H. H. Miller	Harry Sparks
Leo King	W. H. Miller	Elmore J. Thomas
John Kirtley	James B. Milliken	Harry B. Thornton
W. L. Knuckles, Jr.	Tyler Munford	Starling B. Tracy
Glenn W. Lane	James I. Peters	Henry T. Ward
Alden L. Love	M. D. Phelps	Robert E. Webb
M. T. McCarthy	Steve Pieratt	J. B. Wicker
Herschel McKinley	Kleber F. Price	B. M. Williams
C. C. McMasters	Waylon Rayburn	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 623. An Act to add to the state primary system of roads a road from Highway No. 22 at Crestwood, Kentucky, to Brownsboro then to the Harry Speer farm.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from State Highway 22 at Crestwood, Kentucky, by way of F. B. Williams, C. P. Clore,

and Howard Carrico, by way of Brownsboro to the Harry Speer farm, be and the same is hereby designated and established as part of the primary system of state highways of the Commonwealth of Kentucky; to be known as State Primary Road Project No. .....

§ 2. The said road to have and secure all the benefits of the state primary road system under Chapter 17 of the Acts of 1920.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harry Davis	Ira W. Hulette
Carroll D. Asbury	R. A. Demunbrun	T. M. Johnson
Harold L. Barnes	S. S. Dickson	F. P. Kessee
Marshall Barnes	George Dunlap	J. H. King
Robert E. Beatty	Clarence E. Evans	Leo King
B. F. Bedford	T. P. Fitzpatrick	John Kirtley
Wm. B. Belknap	J. B. Floyd	W. L. Knuckles, Jr.
Reuben J. Boling	W. J. Garnett	Glenn W. Lane
Jas. C. Bright	C. Gottschalk	Alden L. Love
Corbett Brown	J. S. Hall	M. T. McCarthy
Wallace Brown	Judson Harmon	Herschel McKinley
Mrs. Cecil Cantrill	Frank Harris	C. C. McMasters
Charles Chandler	R. M. Harrison, Jr.	Roy McWaters
J. A. Coleman	J. Joseph Hettinger	C. C. May
D. B. Coughlin	Dr. A. L. Hill	J. S. Mattingly
Joel T. Crenshaw	John R. Hobbs	L. B. Meadors
G. Cunningham	G. W. Howard	H. H. Miller

W. H. Miller	Waylon Rayburn	Harry B. Thornton
James B. Milliken	W. P. Renfro	Starling B. Tracy
Tyler Munford	L. D. Sandlin	Henry T. Ward
James I. Peters	Avery Sartin	Robert E. Webb
M. D. Phelps	Mrs. M. B. Scott	J. B. Wicker
Steve Pieratt	Harry Sparks	B. M. Williams
Kleber F. Price	Elmore J. Thomas	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 624. An Act to add to the state primary system of roads a road from State Highway 53 at Fleet Davis farm by way of Curt Duncan farm to Shelby County line.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from State road 53 at the corner of the Fleet Davis farm by way of the Malory farm, by way of Curt Duncan's farm and by way of Ed Hammond's farm to the Shelby County line, be and the same is hereby designated and established as part of the system of the state highways of the Commonwealth of Kentucky; to be known as State Primary Road Project No. .....

§ 2. The said road to have and secure all the benefits of the state primary road system under Chapter 17 of the Acts of 1920.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	T. P. Fitzpatrick	Herschel McKinley
Carroll D. Asbury	J. B. Floyd	C. C. McMasters
Harold L. Barnes	W. J. Garnett	Roy McWaters
Marshall Barnes	C. Gottschalk	C. C. May
Robert E. Beatty	J. S. Hall	J. S. Mattingly
B. F. Bedford	Judson Harmon	L. B. Meadors
Wm. B. Belknap	Frank Harris	H. H. Miller
Reuben J. Boling	R. M. Harrison, Jr.	W. H. Miller
Jas. C. Bright	J. Joseph Hettinger	James B. Milliken
Corbett Brown	Dr. A. L. Hill	Tyler Munford
Wallace Brown	John R. Hobbs	James I. Peters
Mrs. Cecil Cantrill	G. W. Howard	M. D. Phelps
Charles Chandler	Ira W. Hulette	Steve Pieratt
J. A. Coleman	T. M. Johnson	Kleber F. Price
D. B. Coughlin	F. P. Kessee	Waylon Rayburn
Joel T. Crenshaw	J. H. King	W. P. Renfro
G. Cunningham	Leo King	L. D. Sandlin
Harry Davis	John Kirtley	Avery Sartin
R. A. Demunbrun	W. L. Knuckles, Jr.	Mrs. M. B. Scott
S. S. Dickson	Glenn W. Lane	Harry Sparks
George Dunlap	Alden L. Love	Elmore J. Thomas
Clarence E. Evans	M. T. McCarthy	Harry B. Thornton

Starling B. Tracy Robert E. Webb B. M. Williams
Henry T. Ward J. B. Wicker —71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 625. An Act to add to the state primary system of roads from Federal Highway 42 to Drane Clore's farm known as Buckeye Lane.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Federal Highway 42 at a Buckeye tree, going southwest by way of J. S. Barnett across Harrods Creek by way of Drane Clore's to the Brownsboro Road, be and the same is hereby designated and established as part of the state highways of the Commonwealth of Kentucky; to be known as State Primary Road Project No. .....

§2. The said road to have and secure all the benefits of the state primary road system under Chapter 17 of the Acts of 1920.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 626. An Act to establish as part of the State primary road system a road to be known as Project No. ..... to lead from Elder Park one-half mile east of Buckner, Oldham County, Kentucky, on State Highway No. 22, by way of Bill Elder farm, J. W. Warren farm, Ballard Brown farm and Tom Neal farm to Worth, Kentucky, and there connect with the Oldham-Henry-Jefferson Turnpike or the proposed Louisville-Maysville Road which passes through Crestwood and Ballardsville in Oldham County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from State Highway No. 22 at Elder Park, Oldham County, Kentucky, by way of Bill Elder farm, J. W. Warren farm, Ballard Brown farm and Tom Neal farm to Worth, Kentucky, and there connecting with the Oldham-Henry-Jefferson Turnpike or the proposed Louisville-Maysville Road which passes through Crestwood and Ballardsville in Oldham County, Kentucky, be and the same is hereby designated and established as a part of the primary system of State Highways of the Commonwealth of Kentucky; to be known as the State Primary Road Project No. .....

§ 2. The construction, maintenance, supervision and

control of the said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17, Acts of the General Assembly of 1920, establishing and creating a primary system of State Highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Clarence E. Evans	Alden L. Love
Carroll D. Asbury	T. P. Fitzpatrick	M. T. McCarthy
Harold L. Barnes	J. B. Floyd	Herschel McKinley
Marshall Barnes	W. J. Garnett	C. C. McMasters
Robert E. Beatty	C. Gottschalk	Roy McWaters
B. F. Bedford	J. S. Hall	C. C. May
Wm. B. Belknap	Judson Harmon	J. S. Mattingly
Reuben J. Boling	Frank Harris	L. B. Meadors
Jas. C. Bright	R. M. Harrison, Jr.	H. H. Miller
Corbett Brown	J. Joseph Hettinger	W. H. Miller
Wallace Brown	Dr. A. L. Hill	James B. Milliken
Mrs. Cecil Cantrill	John R. Hobbs	Tyler Munford
Charles Chandler	G. W. Howard	James I. Peters
J. A. Coleman	Ira W. Hulette	M. D. Phelps
D. B. Coughlin	T. M. Johnson	Steve Pieratt
Joel T. Crenshaw	F. P. Kessee	Kleber F. Price
G. Cunningham	J. H. King	Waylon Rayburn
Harry Davis	Leo King	W. P. Renfro
R. A. Demunbrun	John Kirtley	L. D. Sandlin
S. S. Dickson	W. L. Knuckles, Jr.	Avery Sartin
George Dunlap	Glenn W. Lane	Mrs. M. B. Scott

Harry Sparks Starling B. Tracy J. B. Wicker
Elmore J. Thomas Henry T. Ward B. M. Williams
Harry B. Thornton Robert E. Webb —71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration the Orders of the Day a bill entitled:

H. B. 627. An Act to add to the State primary system of roads a road from Highway 42 to Westport road and known as the old Westport road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the road leading from Federal Highway 42 at the Lindsay Duncan farm by way of Dr. John P. Wheeler farm, Richard Hensley farm and the Brown farm to the Westport road at the Bowling farm, be and the same is hereby designated and established as part of the system of the State Highway of the Commonwealth of Kentucky; to be known as State Primary Road Project No. .....

§ 2. The said road to have and secure all the benefits of the State primary road system under Chapter 17 of the Acts of 1920.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 628. An Act and to establish and add a road to the primary system of road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby added and established as a part of the primary road system beginning at Route 62 in Caldwell County near the property of J. E. George by the way of the Herpington property to intersect the Lamasco road.

§ 2. The maintenance, construction and supervision of such roads as herein established to be under the State Highway Department and to receive the benefits that it is entitled to.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Harry Sparks
Joel T. Crenshaw	John Kirtley	Mrs. M. B. Scott
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 629. An Act to establish as a part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning at Old Cerulean Springs, Eddyville, Princeton, Cadiz Route 79, to intersect Route 62 near Saratoga Church.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the Primary System of Highways of the Commonwealth of Kentucky a road beginning at Old Cerulean Springs—Eddyville, Princeton, Cadiz Route 79, to intersect Route 62 near Saratoga Church.

§ 2. Said project thus established to be a part of and entitled to all the privileges, and benefits and conditions now given by any act or law to any of the Primary roads of this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harold L. Barnes	Robert E. Beatty
Carroll D. Asbury	Marshall Barnes	B. F. Bedford

Wm. B. Belknap	Frank Harris	H. H. Miller
Reuben J. Boling	R. M. Harrison, Jr.	W. H. Miller
Jas. C. Bright	J. Joseph Hettinger	James B. Milliken
Corbett Brown	Dr. A. L. Hill	Tyler Munford
Wallace Brown	John R. Hobbs	James I. Peters
Mrs. Cecil Cantrill	G. W. Howard	M. D. Phelps
Charles Chandler	Ira W. Hulette	Steve Pieratt
J. A. Coleman	T. M. Johnson	Kleber F. Price
D. B. Coughlin	F. P. Kessee	Waylon Rayburn
Joel T. Crenshaw	J. H. King	W. P. Renfro
G. Cunningham	Leo King	L. D. Sandlin
Harry Davis	John Kirtley	Avery Sartin
R. A. Demunbrun	W. L. Knuckles, Jr.	Mrs. M. B. Scott
S. S. Dickson	Glenn W. Lane	Harry Sparks
George Dunlap	Alden L. Love	Elmore J. Thomas
Clarence E. Evans	M. T. McCarthy	Harry B. Thornton
T. P. Fitzpatrick	Herschel McKinley	Starling B. Tracy
J. B. Floyd	C. C. McMasters	Henry T. Ward
W. J. Garnett	Roy McWaters	Robert E. Webb
C Gottschalk	C. C. May	J. B. Wicker
J. S. Hall	J. S. Mattingly	B. M. Williams
Judson Harmon	L. B. Meadors	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 630. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point in road No. 35 at W. M. Wooldridge's place in Russell County by way of J. L. Storey's place; thence to Acries crossroads; thence to Rowes crossroads and connecting with the Hale highway.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at W. M. Wooldridge's place in Russell County; thence by the way of J. L. Storey's place; thence to Acries crossroads; thence to Rowes crossroads and connecting with the Hale highway, a distance of approximately four miles.

That the road now established as a part of the primary system of highways of the Commonwealth of Kentucky shall be entitled to all rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration the Orders of the Day a bill entitled:

H. B. 631. An Act establishing as a part of the Primary Road System of State Highways a road starting at the mouth of Big Perry in Rowan county, extending by way of Triplett Creek, thence to Waltz and terminating on Allie Young Highway at Plummers Landing in Fleming County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That a road starting at the mouth of Big Perry in Rowan County, extending by way of Triplett Creek, thence to Waltz, and terminating on Allie Young Highway at Plummers Landing in Fleming County, be and the same is hereby established and designated as a part of the Primary Road System of State Highways of the Commonwealth of Kentucky.

The construction, maintenance, supervision and control of said road shall be subject to all terms and conditions as set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating the Primary System of State Highways, and amendments thereto.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Marshall Barnes	Wm. B. Belknap
Carroll D. Asbury	Robert E. Beatty	Reuben J. Boling
Harold L. Barnes	B. F. Bedford	Jas. C. Bright

Corbett Brown	J. Joseph Hettinger	W. H. Miller
Wallace Brown	Dr. A. L. Hill	James B. Milliken
Mrs. Cecil Cantrill	John R. Hobbs	Tyler Munford
Charles Chandler	G. W. Howard	James I. Peters
J. A. Coleman	Ira W. Hulette	M. D. Phelps
D. B. Coughlin	T. M. Johnson	Steve Pieratt
Joel T. Crenshaw	F. P. Kessee	Kleber F. Price
G. Cunningham	J. H. King	Waylon Rayburn
Harry Davis	Leo King	W. P. Renfro
R. A. Demunbrun	John Kirtley	L. D. Sandlin
S. S. Dickson	W. L. Knuckles, Jr.	Avery Sartin
George Dunlap	Glenn W. Lane	Mrs. M. B. Scott
Clarence E. Evans	Alden L. Love	Harry Sparks
T. P. Fitzpatrick	M. T. McCarthy	Elmore J. Thomas
J. B. Floyd	Herschel McKinley	Harry B. Thornton
W. J. Garnett	C. C. McMasters	Starling B. Tracy
C. Gottschalk	Roy McWaters	Henry T. Ward
J. S. Hall	C. C. May	Robert E. Webb
Judson Harmon	J. S. Mattingly	J. B. Wicker
Frank Harris	L. B. Meadors	B. M. Williams
R. M. Harrison, Jr.	H. H. Miller	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 632. An Act establishing and creating as a part

of the primary system of the state highways of the Commonwealth of Kentucky a road, beginning at the Shoulder Blade School House in Breathitt County to the Bowman Fork of Turkey Creek, via Old Buck Creek.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as part of the primary system of state highways of the Commonwealth of Kentucky, a road beginning at the Shoulder Blade School House through the gap to Old Buck Creek and down to the mouth of said creek; thence across the Middle Fork River and through the Nick Combs gap to Turkey Creek, and thence down the creek to the Bowman Fork; thence up Bowman Fork to Owsley county line.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as amended, to the same effect as if said road had been named in the original Act as one of the projects of the Primary System of State Highways, as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen Carroll D. Asbury Harold L. Barnes

Marshall Barnes	J. S. Hall	L. B. Meadors
Robert E. Beatty	Judson Harmon	H. H. Miller
B. F. Bedford	Frank Harris	W. H. Miller
Wm. B. Belknap	R. M. Harrison, Jr.	James B. Milliken
Reuben J. Boling	J. Joseph Hettinger	Tyler Munford
Jas. C. Bright	Dr. A. L. Hill	James I. Peters
Corbett Brown	John R. Hobbs	M. D. Phelps
Wallace Brown	G. W. Howard	Steve Pieratt
Mrs. Cecil Cantrill	Ira W. Hulette	Kleber F. Price
Charles Chandler	T. M. Johnson	Waylon Rayburn
J. A. Coleman	F. P. Kessee	W. P. Renfro
D. B. Coughlin	J. H. King	L. D. Sandlin
Joel T. Crenshaw	Leo King	Avery Sartin
G. Cunningham	John Kirtley	Mrs. M. B. Scott
Harry Davis	W. L. Knuckles, Jr.	Harry Sparks
R. A. Demunbrun	Glenn W. Lane	Elmore J. Thomas
S. S. Dickson	Alden L. Love	Harry B. Thornton
George Dunlap	M. T. McCarthy	Starling B. Tracy
Clarence E. Evans	Herschel McKinley	Henry T. Ward
T. P. Fitzpatrick	C. C. McMasters	Robert E. Webb
J. B. Floyd	Roy McWaters	J. B. Wicker
W. J. Garnett	C. C. May	B. M. Williams
C. Gottschalk	J. S. Mattingly	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 633. An Act relating to roads and highways and creating a road project beginning at a point south of Murray on the west side of the State highway, running from Murray to Hazel at a point on the south side of the land of Charlie and Bob Whitnell, thence running west to Concord and Boydsville road, thence in a southwesterly direction by Wiswell and Sinking Springs Church, thence with the Boydsville Church to Harris Grove, thence in a southwesterly direction to Bell City, intersecting the Paris and Mayfield highway.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at a point south of Murray on the west side of the State highway running from Murray to Hazel at a point on the south side of the land of Charlie and Bob Whitnell, thence running west to Concord and Boydsville, road, thence in a southwesterly direction by Wiswell and Sinking Springs Church, thence with the Boydsville Church to Harris Grove, thence in a southwesterly direction to Bell City, intersecting the Paris and Mayfield highway.

§ 2. The said project thus established shall be a part of the primary road system of this Commonwealth and the same shall be entitled to all the benefits and subject to all the laws now in existence or to be hereafter enacted.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 634. An Act relating to roads and highways and creating a road project beginning at a point on the road just established known as Gibb's Store, running thence to Baker's Cross Roads, thence with Concord Road to Reed Brandons, thence by Pleasant Grove Church to intersect State line road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at a point on the road just established known as Gibbs's Store, running thence to Baker's Cross Roads, then with Concord Road to Reed Brandons, thence by Pleasant Grove Church to intersect State line road.

§ 2. The said project thus established shall be a part of the primary system of roads of this Commonwealth and the same shall be entitled to all the benefits and subject to all the laws now in existence or to be hereafter enacted.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 647. An Act relating to roads, and establishing as part of the primary system of highways, a road leading from Caneyville, in Grayson County, Kentucky, by way of Ready in Grayson County, Kentucky, to the Grayson and Edmonson County line.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as part of the primary system of State highways of the Commonwealth of Kentucky, a road beginning at Caneyville, in Grayson County, Kentucky, and running from thence, by way of Ready in Grayson County, Kentucky, to the Grayson and Edmonson county line.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Corbett Brown	R. A. Demunbrun
Carroll D. Asbury	Wallace Brown	S. S. Dickson
Harold L. Barnes	Mrs. Cecil Cantrill	George Dunlap
Marshall Barnes	Charles Chandler	Clarence E. Evans
Robert E. Beatty	J. A. Coleman	T. P. Fitzpatrick
B. F. Bedford	D. B. Coughlin	J. B. Floyd
Wm. B. Belknap	Joel T. Crenshaw	W. J. Garnett
Reuben J. Boling	G. Cunningham	C. Gottschalk
Jas. C. Bright	Harry Davis	J. S. Hall

Judson Harmon	Alden L. Love	Kleber F. Price
Frank Harris	M. T. McCarthy	Waylon Rayburn
R. M. Harrison, Jr.	Herschel McKinley	W. P. Renfro
J. Joseph Hettinger	C. C. McMasters	L. D. Sandlin
Dr. A. L. Hill	Roy McWaters	Avery Sartin
John R. Hobbs	C. C. May	Mrs. M. B. Scott
G. W. Howard	J. S. Mattingly	Harry Sparks
Ira W. Hulette	L. B. Meadors	Elmore J. Thomas
T. M. Johnson	H. H. Miller	Harry B. Thornton
F. P. Kessee	W. H. Miller	Starling B. Tracy
J. H. King	James B. Milliken	Henry T. Ward
Leo King	Tyler Munford	Robt. E. Webb
John Kirtley	James I. Peters	J. B. Wicker
W. L. Knuckles, Jr.	M. D. Phelps	B. M. Williams
Glenn W. Lane	Steve Pieratt	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 648. An Act relating to roads, and establishing as part of the primary system of highways, a road leading from Millwood, in Grayson County, Kentucky, to the Quisenberry School house in Grayson County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as part of the primary system of the State highways of the Commonwealth of Kentucky, a road beginning at Millwood in Grayson County, Kentucky, and running from thence to the Quisenberry School house in Grayson County.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	George Dunlap	W. L. Knuckles, Jr.
Carroll D. Asbury	Clarence E. Evans	Glenn W. Lane
Harold L. Barnes	T. P. Fitzpatrick	Alden L. Love
Marshall Barnes	J. B. Floyd	M. T. McCarthy
Robert E. Beatty	W. J. Garnett	Herschel McKinley
B. F. Bedford	C. Gottschalk	C. C. McMasters
Wm. B. Belknap	J. S. Hall	Roy McWaters
Reuben J. Boling	Judson Harmon	C. C. May
Jas. C. Bright	Frank Harris	J. S. Mattingly
Corbett Brown	R. M. Harrison, Jr.	L. B. Meadors
Wallace Brown	J. Joseph Hettinger	H. H. Miller
Mrs. Cecil Cantrill	Dr. A. L. Hill	W. H. Miller
Charles Chandler	John R. Hobbs	James B. Milliken
J. A. Coleman	G. W. Howard	Tyler Munford
D. B. Coughlin	Ira W. Hulette	James I. Peters
Joel T. Crenshaw	T. M. Johnson	M. D. Phelps
G. Cunningham	F. P. Kessee	Steve Pieratt
Harry Davis	J. H. King	Kleber F. Price
R. A. Demunbrun	Leo King	Waylon Rayburn
S. S. Dickson	John Kirtley	W. P. Renfro

L. D. Sandlin	Elmore J. Thomas	Robert E. Webb
Avery Sartin	Harry B. Thornton	J. B. Wicker
Mrs. M. B. Scott	Starling B. Tracy	B. M. Williams
Harry Sparks	Henry T. Ward	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 659. An Act establishing as a part of the Primary System of Highways, a road beginning at Milford in Bracken County, Kentucky, and running to Falmouth in Pendleton County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road beginning at Milford in Bracken County, Kentucky, and running to Falmouth in Pendleton County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly

of 1920, establishing and creating the Primary System of Roads and Highways in this Commonwealth.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 663. An Act establishing as a part of the primary system of state highways a road beginning at Milford in Bracken County, Kentucky, and running to Mt. Olivet in Robertson County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the Primary seystem of state highways of the Commonwealth of Kentucky, a road beginning at Milford in Bracken County, Kentucky, and running to Mt. Olivet in Robertson County, Kentucky.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating the primary system of roads and highways in this Commonwealth.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 673. An Act to establish as a part of the primary road system of state highways of the Commonwealth of Kentucky, a road leading from Willis Creek Post Office to State Highway No. 90 in Clinton County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary road system of the Commonwealth of Kentucky a road beginning at Willis Creek Post Office and running to State Highway number ninety in Clinton county, an approximate distance of four and one half (4½) miles.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 674. An Act to establish as part of the primary system of roads of the Commonwealth of Kentucky, a road running from Tyners Store in Crittenden County by the way of the Lelia Evans farm to the Elizabethtown Landing in Crittenden County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as part of the state primary system of roads in the Commonwealth of Kentucky, a road beginning at Tyners Store in Crittenden County and running by the way of the Lelia Evans farm to the Elizabethtown Landing in Crittenden County.

The route thus established shall be designated as Highway No. ....., and to be entitled to receive all benefits of such laws as are now or may hereafter be in effect with relation to the primary system of roads.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wm. B. Belknap	Charles Chandler
Carroll D. Asbury	Reuben J. Boling	J. A. Coleman
Harold L. Barnes	Jas. C. Bright	D. B. Coughlin
Marshall Barnes	Corbett Brown	Joel T. Crenshaw
Robert E. Beatty	Wallace Brown	G. Cunningham
B. F. Bedford	Mrs. Cecil Cantrill	Harry Davis

R. A. Demunbrun	F. P. Kessee	James I. Peters
S. S. Dickson	J. H. King	M. D. Phelps
George Dunlap	Leo King	Steve Pieratt
Clarence E. Evans	John Kirtley	Kleber F. Price
T. P. Fitzpatrick	W. L. Knuckles, Jr.	Waylon Rayburn
J. B. Floyd	Glenn W. Lane	W. P. Renfro
W. J. Garnett	Alden L. Love	L. D. Sandlin
C. Gottschalk	M. T. McCarthy	Avery Sartin
J. S. Hall	Herschel McKinley	Mrs. M. B. Scott
Judson Harmon	C. C. McMasters	Harry Sparks
Frank Harris	Roy McWaters	Elmore J. Thomas
R. M. Harrison, Jr.	C. C. May	Harry B. Thornton
J. Joseph Hettinger	J. S. Mattingly	Starling B. Tracy
Dr. A. L. Hill	L. B. Meadors	Henry T. Ward
John R. Hobbs	H. H. Miller	Robert E. Webb
G. W. Howard	W. H. Miller	J. B. Wicker
Ira W. Hulette	James B. Milliken	B. M. Williams
T. M. Johnson	Tyler Munford	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 675. An Act to establish as part of the primary system of roads of the Commonwealth of Kentucky, a road beginning at a point on U. S. Highway No. 60, near Sturgis in Union County and running in the most practical direction

by the way of Tolu, Carrisville, Berry's Ferry, and intersecting with the Birdsville-Bayou Road at Bayou in Livingston County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of the Commonwealth of Kentucky a road beginning at a point on U. S. Highway No. 60, near Sturgis, in Union County and running in the most practical direction by the way of Tolu, Carrisville, and Berry's Ferry in Crittenden and Livingston Counties and intersecting with the Birdsville-Bayou Road at Bayou in Livingston County.

The route thus established shall be designated as Highway No. ....., and to be entitled to receive all benefits of such laws as are now or may hereafter be in effect with relation to the primary system of roads.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	B. F. Bedford	Wallace Brown
Carroll D. Asbury	Wm. B. Belknap	Mrs. Cecil Cantrill
Harold L. Barnes	Reuben J. Boling	Charles Chandler
Marshall Barnes	Jas. C. Bright	J. A. Coleman
Robert E. Beatty	Corbett Brown	D. B. Coughlin

Joel T. Crenshaw	Ira W. Hulette	Tyler Munford
G. Cunningham	T. M. Johnson	James I. Peters
Harry Davis	F. P. Kessee	M. D. Phelps
R. A. Demunbrun	J. H. King	Steve Pieratt
S. S. Dickson	Leo King	Kleber F. Price
George Dunlap	John Kirtley	Waylon Rayburn
Clarence E. Evans	W. L. Knuckles, Jr.	W. P. Renfro
T. P. Fitzpatrick	Glenn W. Lane	L. D. Sandlin
J. B. Floyd	Alden L. Love	Avery Sartin
W. J. Garnett	M. T. McCarthy	Mrs. M. B. Scott
C. Gottschalk	Herschel McKinley	Harry Sparks
J. S. Hall	C. C. McMasters	Elmore J. Thomas
Judson Harmon	Roy McWaters	Harry B. Thornton
Frank Harris	C. C. May	Starling B. Tracy
R. M. Harrison, Jr.	J. S. Mattingly	Henry T. Ward
J. Joseph Hettinger	L. B. Meadors	Robert E. Webb
Dr. A. L. Hill	H. H. Miller	J. B. Wicker
John R. Hobbs	W. H. Miller	B. M. Williams
G. W. Howard	James B. Milliken	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 676. An Act establishing and creating as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at a point on High-

way No. 60, in Frankfort, Franklin County. Kentucky, to Millville, in Woodford County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there hereby is established as a part of the primary system of state roads and highways of the Commonwealth of Kentucky, a road beginning at a point on Highway No. 60, in Frankfort, Franklin County, Kentucky, and running thence to Millville, in Woodford County, via Trumbo's Bottom and Old Crow Distillery.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17, page 76, of the Acts of 1920, establishing and creating a primary system of state highways, as amended, and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system of state highways.

§ 3. Said project when completed shall be known and designated as State Project No. .....

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen Carroll D. Asbury Harold L. Barnes

Marshall Barnes	J. S. Hall	L. B. Meadors
Robert E. Beatty	Judson Harmon	H. H. Miller
B. F. Bedford	Frank Harris	W. H. Miller
Wm. B. Belknap	R. M. Harrison, Jr.	James B. Milliken
Reuben J. Boling	J. Joseph Hettinger	Tyler Munford
Jas. C. Bright	Dr. A. L. Hill	James I. Peters
Corbett Brown	John R. Hobbs	M. D. Phelps
Wallace Brown	G. W. Howard	Steve Pieratt
Mrs. Cecil Cantrill	Ira W. Hulette	Kleber F. Price
Charles Chandler	T. M. Johnson	Waylon Rayburn
J. A. Coleman	F. P. Kessee	W. P. Renfro
D. B. Coughlin	J. H. King	L. D. Sandlin
Joel T. Crenshaw	Leo King	Avery Sartin
G. Cunningham	John Kirtley	Mrs. M. B. Scott
Harry Davis	W. L. Knuckles, Jr.	Harry Sparks
R. A. Demunbrun	Glenn W. Lane	Elmore J. Thomas
S. S. Dickson	Alden L. Love	Harry B. Thornton
George Dunlap	M. T. McCarthy	Starling B. Tracy
Clarence E. Evans	Herschel McKinley	Henry T. Ward
T. P. Fitzpatrick	C. C. McMasters	Robert E. Webb
J. B. Floyd	Roy McWaters	J. B. Wicker
W. J. Garnett	C. C. May	B. M. Williams
C. Gottschalk	J. S. Mattingly	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 677. An Act to add to the primary system of public roads. The road leading from a point in the Gallatin and Hopkinsville road at or near Anderson Switch on the L. & N. Railroad in Todd County, running in a southerly direction to the Guthrie and Russellville highway, known as U. S. Highway No. 81, a distance of about four miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4356T-5 of Article 2, Chapter 110 of Kentucky Statutes, 1922 Edition, relating to public roads, be amended by adding and inserting the following project number ....., the road leading from a point in the Gallatin and Hopkinsville road at or near Anderson Switch on the L. & N. Railroad in Todd County, running in a southerly direction to the Guthrie and Russellville highway, known as U. S. Highway No. 81, a distance of about four miles.

This route when established to be designated as Project No. ....., and to be entitled to and receive all the benefits relating to the primary system of roads and highways. The State Highway Commission will have said route surveyed and located.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 678. An Act establishing and creating as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at a point on the Frankfort-Newcastle Road, Highway No. 37, near Charles E. Goins' residence, in Franklin County, to the Henry County line.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there hereby is established as a part of the primary system of state roads and highways of the Commonwealth of Kentucky a road beginning at a point on the Frankfort-Newcastle Road, Highway No. 37, near Charles E. Goins' residence, in Franklin County and running thence to the Henry County line, via Antioch Church, Harviland, Union Store, Pleasant Ridge Church and Flat Creek.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17, page 76, of the Acts of 1920, establishing and creating a primary system of state highways, as amended, and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system of state highways.

§ 3. Said project when completed shall be known and designated as State Project No. .....

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said

bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 679. An Act establishing and creating as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road beginning at a point on the Frankfort-Lawrenceburg Road near Evergreen and running thence to Bryant's Schoolhouse, in Franklin County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There hereby is established as a part of the primary system of state roads and highways of the Commonwealth of Kentucky a road beginning at a point on the Frankfort-Lawrenceburg Road near Evergreen, and running thence to Bryant's Schoolhouse, in Franklin County, via Bridgeport and Benson, to connect with St. John's Pike at Bryant's Schoolhouse.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17, page 76, Acts of 1920, as amended, establishing and creating a primary system of state roads and highways, and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system of state highways.

§ 3. Said project when completed shall be known and designated as State Project No. .....

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 680. An Act establishing and creating as a part of the primary system of roads and highways of the Commonwealth of Kentucky, a road from a point on the Frankfort-Owenton Road near J. C. Arnold's residence in Franklin County, to the Georgetown-Owenton Road near Stamping Ground, Scott County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there hereby is established as a part of the primary system of state roads and highways of the Commonwealth of Kentucky a road beginning at a point on the Frankfort-Owenton Road near J. C. Arnold's residence, in Franklin County, and running thence to the Georgetown-Owenton Road near Stamping Ground, in Scott County via Peaks Mill and Elmville.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions set out and provided for in Chapter 17, page 76, of the Acts of 1920, establishing and creating a primary system of state highways, as amended, and be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system of state highways.

§ 3. Said project when completed shall be known and designated as State Project No. .....,

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 681. An Act to establish as a part of the primary system a road known as the "Old Elkton and Trenton Road" in Todd County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established, as a part of the primary system of the state highways of the Commonwealth of Kentucky, a road in Todd County, Kentucky, beginning near a barn on the late R. L. Adams' farm, a distance of 2 miles to Fosters' Creek, and is known as the "Old Elkton and Trenton Road."

§ 2. The State Highway Commission is hereby directed to assign to the above road an appropriate project number.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 682. An Act to add to the primary system of public roads. The read leading from a point in the old Dixie Bee Line in Todd County, Ky., at a point about two miles east of Guthrie, in front of Watkins Northington's home, thence in a northerly direction, passing through the town of Haydensville, and continuing through old Haydensville, crossing the Guthrie and Russellville highway and passing by the farms of Mac J. Smith, Jim Scruggs, and William Withers, through the town of Hermann, and intersecting the Elkton and Trenton highway at a point near Mt. Zion negro church, being a distance of about nine miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4356T-5 of Article 2, Chapter 110 of Kentucky Statutes, 1922 Edition, relating to public roads, be amended by adding and inserting the following project number ....., the road leading from a point in the old Dixie Bee Line in Todd County, Ky., at a point about two miles east of Guthrie, in front of Watkins Northington's home, thence in a northerly direction, passing through the town of Haydensville, and continuing through old Haydensville, crossing the Guthrie and Russellville highway and passing by the farms of Mac J. Smith, Jim Scruggs, and William Withers, through the town of Hermann, and intersecting the Elkton and Trenton highway at a point near Mt. Zion negro church, being a distance of about nine miles.

This route when established to be designated as Project No. ....., and to be entitled to and receive all the benefits relating to the primary system of roads and highways. The State Highway Commission will have said route surveyed and located.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 693. An Act establishing as a part of the primary system of state highways of the Commonwealth of Kentucky, a road beginning at the Tom Holland farm on Highway 58, in Graves County, Kentucky, running thence north about one-half mile to the Holiness Church, thence north by Smith Graveyard about 7½ miles to Symsonia, Kentucky, connecting with the Mayfield and Symsonia highway.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road beginning at the Tom Holland farm on Highway 58 in Graves County, Kentucky, running thence north about one-half mile to the Holiness Church, thence north by Smith Graveyard about 7½ miles to Symsonia, Kentucky, connecting with the Mayfield and Symsonia Highway.

The construction, maintenance, supervision and control of said road shall be subject to all the laws of the State of Kentucky appertaining to the State Highways.

§ 2. The Highway Commission is hereby directed to assign to the above road an appropriate project number.

§ 3. All acts or parts of acts in conflict herewith are hereby repealed.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Clarence E. Evans	Alden L. Love
Carroll D. Asbury	T. P. Fitzpatrick	M. T. McCarthy
Harold L. Barnes	J. B. Floyd	Herschel McKinley
Marshall Barnes	W. J. Garnett	C. C. McMasters
Robert E. Beatty	C. Gottschalk	Roy McWaters
B. F. Bedford	J. S. Hall	C. C. May
Wm. B. Belknap	Judson Harmon	J. S. Mattingly
Reuben J. Boling	Frank Harris	L. B. Meadors
Jas. C. Bright	R. M. Harrison, Jr.	H. H. Miller
Corbett Brown	J. Joseph Hettinger	W. H. Miller
Wallace Brown	Dr. A. L. Hill	James B. Milliken
Mrs. Cecil Cantrill	John R. Hobbs	Tyler Munford
Charles Chandler	G. W. Howard	James I. Peters
J. A. Coleman	Ira W. Hulette	M. D. Phelps
D. B. Coughlin	T. M. Johnson	Steve Pieratt
Joel T. Crenshaw	F. P. Kessee	Kleber F. Price
G. Cunningham	J. H. King	Waylon Rayburn
Harry Davis	Leo King	W. P. Renfro
R. A. Demunbrun	John Kirtley	L. D. Sandlin
S. S. Dickson	W. L. Knuckles, Jr.	Avery Sartin
George Dunlap	Glenn W. Lane	Mrs. M. B. Scott

Harry Sparks Starling B. Tracy J. B. Wicker
Elmore J. Thomas Henry T. Ward B. M. Williams
Harry B. Thornton Robert E. Webb —71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 697. An Act creating and establishing as a part of the primary system of highways of Kentucky a road beginning at Rocky Hill in Edmonson County and running to the Barren County line connecting with the Glasgow Junction–Merry Oaks road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Rocky Hill in Edmonson County and running to the Barren County line and connecting with the Glasgow Junction–Merry Oaks road.

§ 2. That the road established shall be entitled to all the benefits and conditions of such laws as are now or may hereafter be in effect with the relation to the primary system of highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Marshall Barnes	J. S. Hall	H. H. Miller
Harold L. Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 698. An Act creating and establishing as a part of the primary system of highways a road beginning at Honaker's Ferry on Green River in Butler County and running to Round Hill at an intersection with the Brownsville-Morgantown road.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Honaker's Ferry on Green River in Butler County and running to Round Hill at an intersection with the Brownsville-Morgantown road.

§ 2. That the road hereby established shall be entitled to all the benefits and conditions of such laws as are now or may hereafter be in effect with relation to the primary system of highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 699. An Act relating to roads and highways and creating a road project beginning on State Highway 94 at west city limits of the town of Murray, running south, thence to and intersects the Hazel-Murray Highway.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there is hereby established as a part of the primary system of state highways a road beginning on State Highway 94 at west city limits of the town of Murray, running south, thence to and intersects the Hazel-Murray Highway.

§ 2. The said project thus established shall be a part of the primary road system of this Commonwealth and same shall be entitled to all the benefits and subject to all the laws now in existence or to be hereafter enacted.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 702. An Act relating to roads and highways and describing and fixing a project to be added to the primary system of roads and highways in the Commonwealth of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and hereby is established as a part of the primary system of highways in this Commonwealth the following route, to-wit:

Beginning at the top of Dunbar Hill at Project No. ....., running with ridge past Cedar Leaf church, thence by Minor Frye residence down Reeds Branch, across Crooked Creek, to intersect Project No. ....., at Trinity, Lewis County, Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Robert E. Beatty	Jas. C. Bright
Carroll D. Asbury	B. F. Bedford	Corbett Brown
Harold L. Barnes	Wm. B. Belknap	Wallace Brown
Marshall Barnes	Reuben J. Boling	Mrs. Cecil Cantrill

Charles Chandler	John R. Hobbs	James B. Milliken
J. A. Coleman	G. W. Howard	Tyler Munford
D. B. Coughlin	Ira W. Hulette	James I. Peters
Joel T. Crenshaw	T. M. Johnson	M. D. Phelps
G. Cunningham	F. P. Kessee	Steve Pieratt
Harry Davis	J. H. King	Kleber F. Price
R. A. Demunbrun	Leo King	Waylon Rayburn
S. S. Dickson	John Kirtley	W. P. Renfro
George Dunlap	W. L. Knuckles, Jr.	L. D. Sandlin
Clarence E. Evans	Glenn W. Lane	Avery Sartin
T. P. Fitzpatrick	Alden L. Love	Mrs. M. B. Scott
J. B. Floyd	M. T. McCarthy	Harry Sparks
W. J. Garnett	Herschel McKinley	Elmore J. Thomas
C. Gottschalk	C. C. McMasters	Harry B. Thornton
J. S. Hall	Roy McWaters	Starling B. Tracy
Judson Harmon	C. C. May	Henry T. Ward
Frank Harris	J. S. Mattingly	Robert E. Webb
R. M. Harrison, Jr.	L. B. Meadors	J. B. Wicker
J. Joseph Hettinger	H. H. Miller	B. M. Williams
Dr. A. L. Hill	W. H. Miller	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 704. An Act to establish as part of the state primary road system a road to be known as Project No. ....., beginning at Lusby's Mill, Owen County, and intersecting

No. 227 about one-half mile from Hesler toward Georgetown, Kentucky, a distance of about five miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the road beginning at Lusby's Mill in Owen County and running to and intersecting with No. 227, about one-half mile from Hesler, a distance of five or more miles, be and the same is hereby designated and established as part of the primary system of state highways of the Commonwealth of Kentucky; to be known as the state primary road Project No. .....

The construction, maintenance, supervision, and control of such road shall be subject to the laws, rules, and regulations governing the State Highway Commission.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Reuben J. Boling	D. B. Coughlin
Carroll D. Asbury	Jas. C. Bright	Joel T. Crenshaw
Harold L. Barnes	Corbett Brown	G. Cunningham
Marshall Barnes	Wallace Brown	Harry Davis
Robert E. Beatty	Mrs. Cecil Cantrill	R. A. Demunbrun
B. F. Bedford	Charles Chandler	S. S. Dickson
Wm. B. Belknap	J. A. Coleman	George Dunlap

Clarence E. Evans	Leo King	M. D. Phelps
T. P. Fitzpatrick	John Kirtley	Steve Pieratt
J. B. Floyd	W. L. Knuckles, Jr.	Kleber F. Price
W. J. Garnett	Glenn W. Lane	Waylon Rayburn
C. Gottschalk	Alden L. Love	W. P. Renfro
J. S. Hall	M. T. McCarthy	L. D. Sandlin
Judson Harmon	Herschel McKinley	Avery Sartin
Frank Harris	C. C. McMasters	Mrs. M. B. Scott
R. M. Harrison, Jr.	Roy McWaters	Harry Sparks
J. Joseph Hettinger	C. C. May	Elmore J. Thomas
Dr. A. L. Hill	J. S. Mattingly	Harry B. Thornton
John R. Hobbs	L. B. Meadors	Starling B. Tracy
G. W. Howard	H. H. Miller	Henry T. Ward
Ira W. Hulette	W. H. Miller	Robert E. Webb
T. M. Johnson	James B. Milliken	J. B. Wicker
F. P. Kessee	Tyler Munford	B. M. Williams
J. H. King	James I. Peters	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 705. An Act adding the road from mouth of Town Branch in Breathitt County to Lee County line at Athol to the primary system of state highways as established by Act of the General Assembly, nineteen hundred and twenty.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and now is hereby established, as a part of the primary road system of the Commonwealth of Kentucky, the following road to be designated as project number ....., from a point on the Booneville-Jackson Highway, at or near the mouth of Town Branch on Cane Creek, in Breathitt county, thence down Cane Creek to the forks at Elkatawa, and up the railroad fork of Cane Creek, and continuing to the Lee County line at Athol, Ky.

§ 2. Said project thus established to be a part of the primary system of roads and to be entitled to all the benefits and subject to all laws now or hereafter in force with relation to same and to be added to the projects established by Chapter 17 of the Acts of nineteen hundred and twenty as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Reuben J. Boling	D. B. Coughlin
Carroll D. Asbury	Jas. C. Bright	Joel T. Crenshaw
Harold L. Barnes	Corbett Brown	G. Cunningham
Marshall Barnes	Wallace Brown	Harry Davis
Robert E. Beatty	Mrs. Cecil Cantrill	R. A. Demunbrun
B. F. Bedford	Charles Chandler	S. S. Dickson
Wm. B. Belknap	J. A. Coleman	George Dunlap

Clarence E. Evans	Leo King	M. D. Phelps
T. P. Fitzpatrick	John Kirtley	Steve Pieratt
J. B. Floyd	W. L. Knuckles, Jr.	Kleber F. Price
W. J. Garnett	Glenn W. Lane	Waylon Rayburn
C. Gottschalk	Alden L. Love	W. P. Renfro
J. S. Hall	M. T. McCarthy	L. D. Sandlin
Judson Harmon	Herschel McKinley	Avery Sartin
Frank Harris	C. C. McMasters	Mrs. M. B. Scott
R. M. Harrison, Jr.	Roy McWaters	Harry Sparks
J. Joseph Hettinger	C. C. May	Elmore J. Thomas
Dr. A. L. Hill	J. S. Mattingly	Harry B. Thornton
John R. Hobbs	L. B. Meadors	Starling B. Tracy
G. W. Howard	H. H. Miller	Henry T. Ward
Ira W. Hulette	W. H. Miller	Robert E. Webb
T. M. Johnson	James B. Milliken	J. B. Wicker
F. P. Kessee	Tyler Munford	B. M. Williams
J. H. King	James I. Peters	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 706. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at a point on No. 68, near Shakertown, and running in a northernly direction to a place known as Browning's Store.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the highways of the Commnowealth of Kentucky a road beginning at a point on No. 68 near Shakertown, and running in a northernly direction to a place known as Browning's Store.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly, 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Mrs. Cecil Cantrill	T. P. Fitzpatrick
Carroll D. Asbury	Charles Chandler	J. B. Floyd
Harold L. Barnes	J. A. Coleman	W. J. Garnett
Marshall Barnes	D. B. Coughlin	C. Gottschalk
Robert E. Beatty	Joel T. Crenshaw	J. S. Hall
B. F. Bedford	G. Cunningham	Judson Harmon
Wm. B. Belknap	Harry Davis	Frank Harris
Reuben J. Boling	R. A. Demunbrun	R. M. Harrison, Jr.
Jas. C. Bright	S. S. Dickson	J. Joseph Hettinger
Corbett Brown	George Dunlap	Dr. A. L. Hill
Wallace Brown	Clarence E. Evans	John R. Hobbs

G. W. Howard	Roy McWaters	W. P. Renfro
Ira W. Hulette	C. C. May	L. D. Sandlin
T. M. Johnson	J. S. Mattingly	Avery Sartin
F. P. Kessee	L. B. Meadors	Mrs. M. B. Scott
J. H. King	H. H. Miller	Harry Sparks
Leo King	W. H. Miller	Elmore J. Thomas
John Kirtley	James B. Milliken	Harry B. Thornton
W. L. Knuckles, Jr.	Tyler Munford	Starling B. Tracy
Glenn W. Lane	James I. Peters	Henry T. Ward
Alden L. Love	M. D. Phelps	Robert E. Webb
M. T. McCarthy	Steve Pieratt	J. B. Wicker
Herschel McKinley	Kleber F. Price	B. M. Williams
C. C. McMasters	Waylon Rayburn	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. No. 25. An Act to add to the primary system of public roads, a road leading from the Hearne School House at junction of State Primary 103 in Owen County, to Goldsvalley School House and thence by Nelse Kinmon's store to a point on State Primary 102 at a point between the residences of Walter Sebastian and Robert Scroggan in Grant County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as part of the primary system of state highways of the Commonwealth of Kentucky, a road beginning at the Hearne School House in Owen County, Kentucky, on State Primary 103, and running by Goldsvalley School House, Nelse Kinmon's store and connecting with State Primary 102 between the residences of Walter Sebastian and Robert Scroggan in Grant County, Kentucky.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways, the same as though said road had been named in said original Act as one of the projects of said primary system of highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Reuben J. Boling	D. B. Coughlin
Carroll D. Asbury	Jas. C. Bright	Joel T. Crenshaw
Harold L. Barnes	Corbett Brown	G. Cunningham
Marshall Barnes	Wallace Brown	Harry Davis
Robert E. Beatty	Mrs. Cecil Cantrill	R. A. Demunbrun
B. F. Bedford	Charles Chandler	S. S. Dickson
Wm. B. Belknap	J. A. Coleman	George Dunlap

Clarence E. Evans	Leo King	M. D. Phelps
T. P. Fitzpatrick	John Kirtley	Steve Pieratt
J. B. Floyd	W. L. Knuckles, Jr.	Kleber F. Price
W. J. Garnett	Glenn W. Lane	Waylon Rayburn
C. Gottschalk	Alden L. Love	W. P. Renfro
J. S. Hall	M. T. McCarthy	L. D. Sandlin
Judson Harmon	Herschel McKinley	Avery Sartin
Frank Harris	C. C. McMasters	Mrs. M. B. Scott
R. M. Harrison, Jr.	Roy McWaters	Harry Sparks
J. Joseph Hettinger	C. C. May	Elmore J. Thomas
Dr. A. L. Hill	J. S. Mattingly	Harry B. Thornton
John R. Hobbs	L. B. Meadors	Starling B. Tracy
G. W. Howard	H. H. Miller	Henry T. Ward
Ira W. Hulette	W. H. Miller	Robert E. Webb
T. M. Johnson	James B. Milliken	J. B. Wicker
F. P. Kessee	Tyler Munford	B. M. Williams
J. H. King	James I. Peters	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 26. An Act relating to roads and bridges and establishing as part of the primary system of state highways a road leading from a point on State Highway No. 22 about 3½ miles west of Owenton, Kentucky, and running in a westerly direction to Cleveland and intersecting State Highway

No. ....., now under construction and designating the same as State Project No. .....

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of Kentucky, a road beginning at Ben Johnson's farm on State Highway No. 22 in Owen County, Kentucky, about 3½ miles west of Owenton and running in a westerly direction to Cleveland, Owen County, Kentucky, and intersecting with State Highway No. ....., at Cleveland, Owen County, Kentucky, and the said road shall be designated as Project No. ....., and be entitled to and receive all the benefits of such laws as are now, or may hereafter be, in effect with relation to the primary road system of this state.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Reuben J. Boling	D. B. Coughlin
Carroll D. Asbury	Jas. C. Bright	Joel T. Crenshaw
Harold L. Barnes	Corbett Brown	G. Cunningham
Marshall Barnes	Wallace Brown	Harry Davis
Robert E. Beatty	Mrs. Cecil Cantrill	R. A. Demunbrun
B. F. Bedford	Charles Chandler	S. S. Dickson
Wm. B. Belknap	J. A. Coleman	George Dunlap

Clarence E. Evans	Leo King	M. D. Phelps
T. P. Fitzpatrick	John Kirtley	Steve Pieratt
J. B. Floyd	W. L. Knuckles, Jr.	Kleber F. Price
W. J. Garnett	Glenn W. Lane	Waylon Rayburn
C. Gottschalk	Alden L. Love	W. P. Renfro
J. S. Hall	M. T. McCarthy	L. D. Sandlin
Judson Harmon	Herschel McKinley	Avery Sartin
Frank Harris	C. C. McMasters	Mrs. M. B. Scott
R. M. Harrison, Jr.	Roy McWaters	Harry Sparks
J. Joseph Hettinger	C. C. May	Elmore J. Thomas
Dr. A. L. Hill	J. S. Mattingly	Harry B. Thornton
John R. Hobbs	L. B. Meadors	Starling B. Tracy
G. W. Howard	H. H. Miller	Henry T. Ward
Ira W. Hulette	W. H. Miller	Robert E. Webb
T. M. Johnson	James B. Milliken	J. B. Wicker
F. P. Kessee	Tyler Munford	B. M. Williams
J. H. King	James I. Peters	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 27. An Act to add to the primary system of public roads, a road leading from U. S. No. 25, at Sherman, Ky., thence by way of Mt. Zion and Zion Station, Ky., to Sugar Creek on Route No. 42, in Gallatin County at the mouth of Sugar Creek.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as part of the primary system of state highways of the Commonwealth of Kentucky, a road beginning at Sherman, Kentucky, on U. S. Highway No. 25, and running by Mt. Zion and Zion Station by Concord School House to the intersection of U. S. No. 42.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways, the same as though said road had been named in said original Act as one of the said primary system of highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Jas. C. Bright	G. Cunningham
Carroll D. Asbury	Corbett Brown	Harry Davis
Harold L. Barnes	Wallace Brown	R. A. Demunbrun
Marshall Barnes	Mrs. Cecil Cantrill	S. S. Dickson
Robert E. Beatty	Charles Chandler	George Dunlap
B. F. Bedford	J. A. Coleman	Clarence E. Evans
Wm. B. Belknap	D. B. Coughlin	T. P. Fitzpatrick
Reuben J. Boling	Joel T. Crenshaw	J. B. Floyd

W. J. Garnett	W. L. Knuckles, Jr.	Steve Pieratt
C. Gottschalk	Glenn W. Lane	Kleber F. Price
J. S. Hall	Alden L. Love	Waylon Rayburn
Judson Harmon	M. T. McCarthy	W. P. Renfro
Frank Harris	Herschel McKinley	L. D. Sandlin
R. M. Harrison, Jr.	C. C. McMasters	Avery Sartin
J. Joseph Hettinger	Roy McWaters	Mrs. M. B. Scott
Dr. A. L. Hill	C. C. May	Harry Sparks
John R. Hobbs	J. S. Mattingly	Elmore J. Thomas
G. W. Howard	L. B. Meadors	Harry B. Thornton
Ira W. Hulette	W. H. Miller	Starling B. Tracy
T. M. Johnson	H. H. Miller	Henry T. Ward
F. P. Kessee	James B. Milliken	Robert E. Webb
J. H. King	Tyler Munford	J. B. Wicker
Leo King	James I. Peters	B. M. Williams
John Kirtley	M. D. Phelps	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 28. An Act to add to the primary system of public roads, a road leading from Route No. 22 in Williamstown, Ky., to the junction of Route No. ....., in Pendleton County, Ky., passing by the Oak Ridge Church and the Stone School House.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as part of the primary system of state highways of the Commonwealth of Kentucky, at the intersection of Route No. 22 in Williamstown, Ky., and thence to Westover and Bonar pike; thence to the Shields and Shinkle pike by the Oak Ridge Church; thence to the Ashbrook pike; thence toward Hightower's pike; thence to the Stone School House, and thence to State Highway No. .....

The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways, the same as though said road had been named in said original Act as one of the said primary system of highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Reuben J. Boling	D. B. Coughlin
Carroll D. Asbury	Jas. C. Bright	Joel T. Crenshaw
Harold L. Barnes	Corbett Brown	G. Cunningham
Marshall Barnes	Wallace Brown	Harry Davis
Robert E. Beatty	Mrs. Cecil Cantrill	R. A. Demunbrun
B. F. Bedford	Charles Chandler	S. S. Dickson
Wm. B. Belknap	J. A. Coleman	George Dunlap

Clarence E. Evans	Leo King	M. D. Phelps
T. P. Fitzpatrick	John Kirtley	Steve Pieratt
J. B. Floyd	W. L. Knuckles, Jr.	Kleber F. Price
W. J. Garnett	Glenn W. Lane	Waylon Rayburn
C. Gottschalk	Alden L. Love	W. P. Renfro
J. S. Hall	M. T. McCarthy	L. D. Sandlin
Judson Harmon	Herschel McKinley	Avery Sartin
Frank Harris	C. C. McMasters	Mrs. M. B. Scott
R. M. Harrison, Jr.	Roy McWaters	Harry Sparks
J. Joseph Hettinger	C. C. May	Elmore J. Thomas
Dr. A. L. Hill	J. S. Mattingly	Harry B. Thornton
John R. Hobbs	L. B. Meadors	Starling B. Tracy
G. W. Howard	H. H. Miller	Henry T. Ward
Ira W. Hulette	W. H. Miller	Robert E. Webb
T. M. Johnson	James B. Milliken	J. B. Wicker
F. P. Kessee	Tyler Munford	B. M. Williams
J. H. King	James I. Peters	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 30. An Act to add to the primary system of public roads, the road leading from State Project No. 20 in Boone county at Constance, thence westerly by the way of Taylorsport, to or near the Sand Hill School House, thence southerly to State Highway No. 20, near Bullittsville in Boone County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary system of roads and highways in this Commonwealth the following route:

Beginning at a point on State Project No. 20, in Boone County at Constance thence westerly via Taylorsport, to or near Sand Hill School House, thence southerly to State Project and Highway No. 20, near Bullittsville, all in Boone County, Kentucky. This route when established to be designated as Project No. ....., and to be entitled to and receive all the benefits relating to the primary system of roads and highways. The State Highway Commission will have said route surveyed and located.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Jas. C. Bright	G. Cunningham
Carroll D. Asbury	Corbett Brown	Harry Davis
Harold L. Barnes	Wallace Brown	R. A. Demunbrun
Marshall Barnes	Mrs. Cecil Cantrill	S. S. Dickson
Robert E. Beatty	Charles Chandler	George Dunlap
B. F. Bedford	J. A. Coleman	Clarence E. Evans
Wm. B. Belknap	D. B. Coughlin	T. P. Fitzpatrick
Reuben J. Boling	Joel T. Crenshaw	J. B. Floyd

W. J. Garnett	W. L. Knuckles, Jr.	Steve Pieratt
C. Gottschalk	Glenn W. Lane	Kleber F. Price
J. S. Hall	Alden L. Love	Waylon Rayburn
Judson Harmon	M. T. McCarthy	W. P. Renfro
Frank Harris	Herschel McKinley	L. D. Sandlin
R. M. Harrison, Jr.	C. C. McMasters	Avery Sartin
J. Joseph Hettinger	Roy McWaters	Mrs. M. B. Scott
Dr. A. L. Hill	C. C. May	Harry Sparks
John R. Hobbs	J. S. Mattingly	Elmore J. Thomas
G. W. Howard	L. B. Meadors	Harry B. Thornton
Ira W. Hulette	H. H. Miller	Starling B. Tracy
T. M. Johnson	W. H. Miller	Henry T. Ward
F. P. Kessee	James B. Milliken	Robert E. Webb
J. H. King	Tyler Munford	J. B. Wicker
Leo King	James I. Peters	B. M. Williams
John Kirtley	M. D. Phelps	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. No. 33. An Act creating and establishing as part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the foot of the hill on State Highway No. 79, near the residence of John McPherson in Muhlenberg County and running to the Kirkmansville and Elkton road at or near Clifty in Todd County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the foot of the hill on State Highway No. 79, near the residence of John McPherson in Muhlenberg County and running by Everett School House, Green Brier Church, and the farms of George Butler, Lee Lear, George Melton and Josh Haltsley, and intersecting the Kirkmansville and Elkton Road at or near Clifty in Todd County.

§ 2. The road now established as part of the primary system of highways of the Commonwealth of Kentucky shall be given an appropriate number by the Kentucky State Highway Commission and shall be entitled to all the rights, privileges, benefits and conditions of all the laws now in force or which may hereafter be enacted affecting the primary road system.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Robert E. Beatty	Jas. C. Bright
Carroll D. Asbury	B. F. Bedford	Corbett Brown
Harold L. Barnes	Wm. B. Belknap	Wallace Brown
Marshall Barnes	Reuben J. Boling	Mrs. Cecil Cantrill

Charles Chandler	John R. Hobbs	James B. Milliken
J. A. Coleman	G. W. Howard	Tyler Munford
D. B. Coughlin	Ira W. Hulette	James I. Peters
Joel T. Crenshaw	T. M. Johnson	M. D. Phelps
G. Cunningham	F. P. Kessee	Steve Pieratt
Harry Davis	J. H. King	Kleber F. Price
R. A. Demunbrun	Leo King	Waylon Rayburn
S. S. Dickson	John Kirtley	W. P. Renfro
George Dunlap	W. L. Knuckles, Jr.	L. D. Sandlin
Clarence E. Evans	Glenn W. Lane	Avery Sartin
T. P. Fitzpatrick	Alden L. Love	Mrs. M. B. Scott
J. B. Floyd	M. T. McCarthy	Harry Sparks
W. J. Garnett	Herschel McKinley	Elmore J. Thomas
C. Gottschalk	C. C. McMasters	Harry B. Thornton
J. S. Hall	Roy McWaters	Starling B. Tracy
Judson Harmon	C. C. May	Henry T. Ward
Frank Harris	J. S. Mattingly	Robert E. Webb
R. M. Harrison, Jr.	L. B. Meadors	J. B. Wicker
J. Joseph Hettinger	H. H. Miller	B. M. Williams
Dr. A. L. Hill	W. H. Miller	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 37. An Act establishing as a part of the primary system of state highways, a road beginning at Anchorage, Jefferson County, and extending westwardly via Lakeland,

Lyndon, Warwick Villa to the Louisville-Shelbyville Road (U. S. 60).

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of state highways of the Commonwealth of Kentucky the road beginning at the primary system of state highways which traverses Ridge Road in Anchorage, Jefferson County, where the same intersects Bellewood Road; thence northwardly across the Louisville & Nashville Railroad to Park Road; thence westwardly and alongside said railroad through Lakeland, to Lyndon; thence southwardly in Lyndon to the Louisville & Interurban Railroad; thence westwardly and alongside said railroad, passing Warwick Villa, to the primary system of state highways, which traverses the Louisville-Shelbyville Road (U. S. 60), at Beechwood Junction, all in Jefferson County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as amended to the same effect as if said road had been named in the original Act as one of the projects of the primary system of state highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 38. An Act establishing as a part of the primary system of state highways a road beginning at Anchorage, Jefferson County, and extending thence northwardly to the River Road in said county.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as part of the primary system of state highways of the Commonwealth of Kentucky the road beginning at the primary system of state highways which traverses Ridge Road in Anchorage, Jefferson County, where the same intersects Bellewood Road; thence northwardly across the Louisville & Nashville Railroad to Park Road; thence eastwardly to Station Road; and thence following Station Road, Evergreen Road, Frey's Hill Road, Westport Road, Simcoe Lane, Brownsboro Road and Springdale Road to River Road, all in Jefferson County.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the General Assembly of 1920 as amended to the same effect as if said road had been named in the original Act as one of the projects of the primary system of state highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 45. An Act relating to the primary system of roads and highways of the Commonwealth of Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

No. 1. That there be and now is established as a part of the primary system of roads and highways in the Commonwealth of Kentucky the following route: Commencing at Oneida, Clay County, over the most practical route to a point on the Hazard-Booneville road at Buckhorn, in Perry County, a distance of approximately fifteen miles, same to be known as Project No. .....

This road will connect Oneida Institute in Clay County with Witherspoon College located at Buckhorn in Perry County.

No. 2. Said project thus established to be part of and entitled to all of the privileges, benefits and conditions now given by any Act or law to any of the primary roads of this Commonwealth.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 47. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at Hardin Springs, Hardin County, and running to the Leitchfield and Hardinsburg road in Madrid in Breckenridge County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Hardin Springs and running to the Leitchfield and Hardinsburg road in Breckenridge County, and intersecting said Leitchfield and Hardinsburg road at Madrid in Breckenridge County.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wm. B. Belknap	Charles Chandler
Carroll D. Asbury	Reuben J. Boling	J. A. Coleman
Marshall Barnes	Jas. C. Bright	D. B. Coughlin
Harold L. Barnes	Corbett Brown	Joel T. Crenshaw
Robert E. Beatty	Wallace Brown	G. Cunningham
B. F. Bedford	Mrs. Cecil Cantrill	Harry Davis

R. A. Demunbrun	F. P. Kessee	James I. Peters
S. S. Dickson	J. H. King	M. D. Phelps
George Dunlap	Leo King	Steve Pieratt
Clarence E. Evans	John Kirtley	Kleber F. Price
T. P. Fitzpatrick	W. L. Knuckles, Jr.	Waylon Rayburn
J. B. Floyd	Glenn W. Lane	W. P. Renfro
W. J. Garnett	Alden L. Love	L. D. Sandlin
C. Gottschalk	M. T. McCarthy	Avery Sartin
J. S. Hall	Herschel McKinley	Mrs. M. B. Scott
Judson Harmon	C. C. McMasters	Harry Sparks
Frank Harris	Roy McWaters	Elmore J. Thomas
R. M. Harrison, Jr.	C. C. May	Harry B. Thornton
J. Joseph Hettinger	J. S. Mattingly	Starling B. Tracy
Dr. A. L. Hill	L. B. Meadors	Henry T. Ward
John R. Hobbs	H. H. Miller	Robt. E. Webb
G. W. Howard	W. H. Miller	J. B. Wicker
Ira W. Hulette	James B. Milliken	B. M. Williams
T. M. Johnson	Tyler Munford	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 49.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as one of the primary road projects of the Commonwealth of Kentucky the following road:

"Beginning at Madisonville, Hopkins County, Kentucky, running westwardly to Shady Grove in Crittenden County, Kentucky, intersecting State Highway 682 AG, Crittenden County, Kentucky, at Shady Grove. Said road to be known as primary road Project No. ....."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	G. Cunningham	John R. Hobbs
Carroll D. Asbury	Harry Davis	G. W. Howard
Harold L. Barnes	R. A. Demunbrun	Ira W. Hulette
Marshall Barnes	S. S. Dickson	T. M. Johnson
Robert E. Beatty	George Dunlap	F. P. Kessee
B. F. Bedford	Clarence E. Evans	J. H. King
Wm. B. Belknap	T. P. Fitzpatrick	Leo King
Reuben J. Boling	J. B. Floyd	John Kirtley
Jas. C. Bright	W. J. Garnett	W. L. Knuckles, Jr.
Corbett Brown	C. Gottschalk	Glenn W. Lane
Wallace Brown	J. S. Hall	Alden L. Love
Mrs. Cecil Cantrill	Judson Harmon	M. T. McCarthy
Charles Chandler	Frank Harris	Herschel McKinley
J. A. Coleman	R. M. Harrison, Jr.	C. C. McMasters
D. B. Coughlin	J. Joseph Hettinger	Roy McWaters
Joel T. Crenshaw	Dr. A. L. Hill	C. C. May

J. S. Mattingly	Steve Pieratt	Elmore J. Thomas
L. B. Meadors	Kleber F. Price	Harry B. Thornton
H. H. Miller	Waylon Rayburn	Starling B. Tracy
W. H. Miller	W. P. Renfro	Henry T. Ward
James B. Milliken	L. D. Sandlin	Robert E. Webb
Tyler Munford	Avery Sartin	J. B. Wicker
James I. Peters	Mrs. M. B. Scott	B. M. Williams
M. D. Phelps	Harry Sparks	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 56. An Act to establish a part of the primary system of roads a road that is a continuation of state road project from Kirksey, in Calloway County, to Reidland, in McCracken County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of roads, a road which is a continuation of the Kirksey road and extending to Reidland, Kentucky, in McCracken County, via Brewers and Oak Level.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all the terms and conditions as set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	George Dunlap	W. L. Knuckles, Jr.
Carroll D. Asbury	Clarence E. Evans	Glenn W. Lane
Harold L. Barnes	T. P. Fitzpatrick	Alden L. Love
Marshall Barnes	J. B. Floyd	M. T. McCarthy
Robert E. Beatty	W. J. Garnett	Herschel McKinley
B. F. Bedford	C. Gottschalk	C. C. McMasters
Wm. B. Belknap	J. S. Hall	Roy McWaters
Reuben J. Boling	Judson Harmon	C. C. May
Jas. C. Bright	Frank Harris	J. S. Mattingly
Corbett Brown	R. M. Harrison, Jr.	L. B. Meadors
Wallace Brown	J. Joseph Hettinger	H. H. Miller
Mrs. Cecil Cantrill	Dr. A. L. Hill	W. H. Miller
Charles Chandler	John R. Hobbs	James B. Milliken
J. A. Coleman	G. W. Howard	Tyler Munford
D. B. Coughlin	Ira W. Hulette	James I. Peters
Joel T. Crenshaw	T. M. Johnson	M. D. Phelps
G. Cunningham	F. P. Kessee	Steve Pieratt
Harry Davis	J. H. King	Kleber F. Price
R. A. Demunbrun	Leo King	Waylon Rayburn
S. S. Dickson	John Kirtley	W. P. Renfro

L. D. Sandlin	Elmore J. Thomas	Robt. E. Webb
Avery Sartin	Harry B. Thornton	J. B. Wicker
Mrs. M. B. Scott	Starling B. Tracy	B. M. Williams
Harry Sparks	Henry T. Ward	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 61. An Act to add to the primary system of public roads, a road leading from Compton's Store on State Highway No. 35, in Casey County to a point in the Liberty and Somerset State Highway by way of Evona and Mintonville, a distance of approximately 13 miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of State Highways of the Commonwealth of Kentucky a road beginning at a point in State Highway No. 35 at or near Compton's Store in Casey County and running thence to a point in the Liberty and Somerset State Highway by way of Evona and Mintonville, a distance of approximately thirteen miles.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways, the same as though said road had been named in said original Act as one of the said primary system of highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	R. A. Demunbrun	F. P. Kessee
Carroll D. Asbury	S. S. Dickson	J. H. King
Harold L. Barnes	George Dunlap	Leo King
Marshall Barnes	Clarence E. Evans	John Kirtley
Robert E. Beatty	T. P. Fitzpatrick	W. L. Knuckles, Jr.
B. F. Bedford	J. B. Floyd	Glenn W. Lane
Wm. B. Belknap	W. J. Garnett	Alden L. Love
Reuben J. Boling	C. Gottschalk	M. T. McCarthy
Jas. C. Bright	J. S. Hall	Herschel McKinley
Corbett Brown	Judson Harmon	C. C. McMasters
Wallace Brown	Frank Harris	Roy McWaters
Mrs. Cecil Cantrill	R. M. Harrison, Jr.	C. C. May
Charles Chandler	J. Joseph Hettinger	J. S. Mattingly
J. A. Coleman	Dr. A. L. Hill	L. B. Meadors
D. B. Coughlin	John R. Hobbs	H. H. Miller
Joel T. Crenshaw	G. W. Howard	W. H. Miller
G. Cunningham	Ira W. Hulette	James B. Milliken
Harry Davis	T. M. Johnson	Tyler Munford

James I. Peters	L. D. Sandlin	Starling B. Tracy
M. D. Phelps	Avery Sartin	Henry T. Ward
Steve Pieratt	Mrs. M. B. Scott	Robt. E. Webb
Kleber F. Price	Harry Sparks	J. B. Wicker
Waylon Rayburn	Elmore J. Thomas	B. M. Williams
W. P. Renfro	Harry B. Thornton	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 63. An Act to add to the primary system of public roads, a road leading from a point in the Liberty and Campbellsville Highway near Sherman Bailey's in Casey County, and running thence up West Casey's Creek and across through Robinson's Gap to Merrimac in Taylor County, and thence to Pleasant Valley Church on the Liberty and Lebanon Highway in Marion County, an approximate distance of nine miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the state highways of the Commonwealth of Kentucky, a road beginning at a point in the state highway

leading from Liberty to Campbellsville, near Sherman Bailey's in Casey County, and running thence up West Casey's Creek and across through Robinson's Gap to Merrimac in Taylor County, thence to Pleasant Valley Church on the Liberty and Lebanon Highway in Marion County, a distance of approximately nine miles.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways, the same as though said road had been named in said original Act as one of said primary system of highways.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Mrs. Cecil Cantrill	T. P. Fitzpatrick
Carroll D. Asbury	Charles Chandler	J. B. Floyd
Harold L. Barnes	J. A. Coleman	W. J. Garnett
Marshall Barnes	D. B. Coughlin	C. Gottschalk
Robert E. Beatty	Joel T. Crenshaw	J. S. Hall
B. F. Bedford	G. Cunningham	Judson Harmon
Wm. B. Belknap	Harry Davis	Frank Harris
Reuben J. Boling	R. A. Demunbrun	R. M. Harrison, Jr.
Jas. C. Bright	S. S. Dickson	J. Joseph Hettinger
Corbett Brown	George Dunlap	Dr. A. L. Hill
Wallace Brown	Clarence E. Evans	John R. Hobbs

G. W. Howard	Roy McWaters	W. P. Renfro
Ira W. Hulette	C. C. May	L. D. Sandlin
T. M. Johnson	J. S. Mattingly	Avery Sartin
F. P. Kessee	L. B. Meadors	Mrs. M. B. Scott
J. H. King	H. H. Miller	Harry Sparks
Leo King	W. H. Miller	Elmore J. Thomas
John Kirtley	James B. Milliken	Harry B. Thornton
W. L. Knuckles, Jr.	Tyler Munford	Starling B. Tracy
Glenn W. Lane	James I. Peters	Henry T. Ward
Alden L. Love	M. D. Phelps	Robt. E. Webb
M. T. McCarthy	Steve Pieratt	J. B. Wicker
Herschel McKinley	Kleber F. Price	B. M. Williams
C. C. McMasters	Waylon Rayburn	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 64. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky, a road beginning at Grove Center in Union County, Kentucky, to a point on State Road No. 56, at the Louisville & Nashville depot in Morganfield.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at Grove Center in Union County, Kentucky, and continuing to a point on State Road No. 56 at the Louisville & Nashville depot in Morganfield, and designated as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly, 1920, as amended.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	D. B. Coughlin	Frank Harris
Carroll D. Asbury	Joel T. Crenshaw	R. M. Harrison, Jr.
Harold L. Barnes	G. Cunningham	J. Joseph Hettinger
Marshall Barnes	Harry Davis	Dr. A. L. Hill
Robert E. Beatty	R. A. Demunbrun	John R. Hobbs
B. F. Bedford	S. S. Dickson	G. W. Howard
Wm. B. Belknap	George Dunlap	Ira W. Hulette
Reuben J. Boling	Clarence E. Evans	T. M. Johnson
Jas. C. Bright	T. P. Fitzpatrick	F. P. Kessee
Corbett Brown	J. B. Floyd	J. H. King
Wallace Brown	W. J. Garnett	Leo King
Mrs. Cecil Cantrill	C. Gottschalk	John Kirtley
Charles Chandler	J. S. Hall	W. L. Knuckles, Jr.
J. A. Coleman	Judson Harmon	Glenn W. Lane

Alden L. Love	James B. Milliken	Mrs. M. B. Scott
M. T. McCarthy	Tyler Munford	Harry Sparks
Herschel McKinley	James I. Peters	Elmore J. Thomas
C. C. McMasters	M. D. Phelps	Harry B. Thornton
Roy McWaters	Steve Pieratt	Starling B. Tracy
C. C. May	Kleber F. Price	Henry T. Ward
J. S. Mattingly	Waylon Rayburn	Robt. E. Webb
L. B. Meadors	W. P. Renfro	J. B. Wicker
H. H. Miller	L. D. Sandlin	B. M. Williams
W. H. Miller	Avery Sartin	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 66. An Act to amend and re-enact Chapter 17 of the Acts of the General Assembly of 1920, as amended by the Session Acts of 1922, 1924, and 1926, relating to roads, highways and bridges, and establishing a project to be added to the state primary system of roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 17 of the Acts of the General Assembly of 1922, 1924 and 1926, be amended and re-enacted, by

adding and establishing as a part of the primary system of highways in this Commonwealth the following project, to-wit: From a point in Mt. Olivet, Robertson County, via Hittsville, Parina, to a point on Route No. 10, one mile southeast of Brooksville, in Bracken County, to be known as Project No. 10A.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to and controlled by a provision of Chapter 17 of the Acts of the General Assembly of 1920, establishing and creating a primary system of state highways, to the same effect as if said road had been named in the original Act as one of the projects of the primary system of state highways as provided therein.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Corbett Brown	R. A. Demunbrun
Carroll D. Asbury	Wallace Brown	S. S. Dickson
Harold L. Barnes	Mrs. Cecil Cantrill	George Dunlap
Marshall Barnes	Charles Chandler	Clarence E. Evans
Robert E. Beatty	J. A. Coleman	T. P. Fitzpatrick
B. F. Bedford	D. B. Coughlin	J. B. Floyd
Wm. B. Belknap	Joel T. Crenshaw	W. J. Garnett
Reuben J. Boling	G. Cunningham	C. Gottschalk
Jas. C. Bright	Harry Davis	J. S. Hall

Judson Harmon	Alden L. Love	Kleber F. Price
Frank Harris	M. T. McCarthy	Waylon Rayburn
R. M. Harrison, Jr.	Herschel McKinley	W. P. Renfro
J. Joseph Hettinger	C. C. McMasters	L. D. Sandlin
Dr. A. L. Hill	Roy McWaters	Avery Sartin
John R. Hobbs	C. C. May	Mrs. M. B. Scott
G. W. Howard	J. S. Mattingly	Harry Sparks
Ira W. Hulette	L. B. Meadors	Elmore J. Thomas
T. M. Johnson	H. H. Miller	Harry B. Thornton
F. P. Kessee	W. H. Miller	Starling B. Tracy
J. H. King	James B. Milliken	Henry T. Ward
Leo King	Tyler Munford	Robt. E. Webb
John Kirtley	James I. Peters	J. B. Wicker
W. L. Knuckles, Jr.	M. D. Phelps	B. M. Williams
Glenn W. Lane	Steve Pieratt	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 67. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky, a road beginning at a point on U. S. Highway No. 60 at Flournoy in Union County, Kentucky, to Herman Valley.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the highways of the Commonwealth of Kentucky, a road beginning at a point on U. S. Highway No. 60, at Flournoy in Union County, Kentucky, to Herman Valley, and designated as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly, 1920, as amended.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Joel T. Crenshaw	J. Joseph Hettinger
Carroll D. Asbury	G. Cunningham	Dr. A. L. Hill
Harold L. Barnes	Harry Davis	John R. Hobbs
Marshall Barnes	R. A. Demunbrun	G. W. Howard
Robert E. Beatty	S. S. Dickson	Ira W. Hulette
B. F. Bedford	George Dunlap	T. M. Johnson
Wm. B. Belknap	Clarence E. Evans	F. P. Kessee
Reuben J. Boling	T. P. Fitzpatrick	J. H. King
Jas. C. Bright	J. B. Floyd	Leo King
Corbett Brown	W. J. Garnett	John Kirtley
Wallace Brown	C. Gottschalk	W. L. Knuckles, Jr.
Mrs. Cecil Cantrill	J. S. Hall	Glenn W. Lane
Charles Chandler	Judson Harmon	Alden L. Love
J. A. Coleman	Frank Harris	M. T. McCarthy
D. B. Coughlin	R. M. Harrison, Jr.	Herschel McKinley

C. C. McMasters	James I. Peters	Harry Sparks
Roy McWaters	M. D. Phelps	Elmore J. Thomas
C. C. May	Steve Pieratt	Harry B. Thornton
J. S. Mattingly	Kleber F. Price	Starling B. Tracy
L. B. Meadors	Waylon Rayburn	Henry T. Ward
H. H. Miller	W. P. Renfro	Robt. E. Webb
W. H. Miller	L. D. Sandlin	J. B. Wicker
James B. Milliken	Avery Sartin	B. M. Williams
Tyler Munford	Mrs. M. B. Scott	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 68. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky, a road beginning at a point on the Boxville-Sullivan road in Union County and intersecting State Road No. 56 at or near Little Union.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road beginning at a point on the Boxville-Sullivan road in Union County and intersecting State Road No.

56, at or near Little Union, and designated as Project. No. .....

§ 2. The construction, maintenance and supervision of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly, 1920, as amended.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	R. A. Demunbrun	F. P. Kessee
Carroll D. Asbury	S. S. Dickson	J. H. King
Harold L. Barnes	George Dunlap	Leo King
Marshall Barnes	Clarence E. Evans	John Kirtley
Robert E. Beatty	T. P. Fitzpatrick	W. L. Knuckles, Jr.
B. F. Bedford	J. B. Floyd	Glenn W. Lane
Wm. B. Belknap	W. J. Garnett	Alden L. Love
Reuben J. Boling	C. Gottschalk	M. T. McCarthy
Jas. C. Bright	J. S. Hall	Herschel McKinley
Corbett Brown	Judson Harmon	C. C. McMasters
Wallace Brown	Frank Harris	Roy McWaters
Mrs. Cecil Cantrill	R. M. Harrison, Jr.	C. C. May
Charles Chandler	J. Joseph Hettinger	J. S. Mattingly
J. A. Coleman	Dr. A. L. Hill	L. B. Meadors
D. B. Coughlin	John R. Hobbs	H. H. Miller
Joel T. Crenshaw	G. W. Howard	W. H. Miller
G. Cunningham	Ira W. Hulette	James B. Milliken
Harry Davis	T. M. Johnson	Tyler Munford

James I. Peters	L. D. Sandlin	Starling B. Tracy
M. D. Phelps	Avery Sartin	Henry T. Ward
Steve Pieratt	Mrs. M. B. Scott	Robt. E. Webb
Kleber F. Price	Harry Sparks	J. B. Wicker
Waylon Rayburn	Elmore J. Thomas	B. M. Williams
W. P. Renfro	Harry B. Thornton	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 69. An Act to establish as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at Morganfield in Union County, Kentucky, to Raleigh.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the highways of the Commonwealth of Kentucky, a road beginning at Morganfield in Union County, Kentucky, to Raleigh, and designated as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly, 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 70. An Act to establish as a part of the primary system of state highways of the Commonwealth of Kentucky, a road beginning at a point on the Morganfield-Uniontown road at or near the Kington Coal Mining Company camp and intersecting U. S. Highway No. 60 at a point near St. Vincent in Union County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of state highways of the Commonwealth of Kentucky, a road beginning at a point on the Morganfield-Uniontown road at or near the Kington Coal Mining Camp and intersecting U. S. Highway No. 60 at a point near St. Vincent in Union County, and designated as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the provisions and terms set out and provided for in Chapter 17 in the Acts of the General Assembly, 1920, as amended.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robt. E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 71. An Act to establish as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at a point in the Henshaw–Grove Center road to St. Ambrose Church and continuing to a point on U. S. Highway No. 60 at or near Salem in Union County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at a point in the Henshaw–Grove Center road to St. Ambrose Church and continuing to a point on U. S. Highway No. 60, at or near Salem in Union County, Kentucky, and designated as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly, 1920, as amended.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	J. S. Mattingly
Carroll D. Asbury	C. Gottschalk	L. B. Meadors
Harold L. Barnes	J. S. Hall	H. H. Miller
Marshall Barnes	Judson Harmon	W. H. Miller
Robert E. Beatty	Frank Harris	James B. Milliken
B. F. Bedford	R. M. Harrison, Jr.	Tyler Munford
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
Reuben J. Boling	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. W. Howard	Kleber F. Price
Wallace Brown	Ira W. Hulette	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Charles Chandler	F. P. Kessee	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	John Kirtley	Harry Sparks
G. Cunningham	W. L. Knuckles, Jr.	Elmore J. Thomas
Harry Davis	Glenn W. Lane	Harry B. Thornton
R. A. Demunbrun	Alden L. Love	Starling B. Tracy
S. S. Dickson	M. T. McCarthy	Henry T. Ward
George Dunlap	Herschel McKinley	Robert E. Webb
Clarence E. Evans	C. C. McMasters	J. B. Wicker
T. P. Fitzpatrick	Roy McWaters	B. M. Williams
J. B. Floyd	C. C. May	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 72. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky, a road beginning at Uniontown in Union County to Alzey in Henderson County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at Uniontown in Union County, Kentucky, to Alzey in Henderson County, Kentucky, and designated as Project No. .....,

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly, 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen Carroll D. Asbury Harold L. Barnes

Marshall Barnes	J. S. Hall	L. B. Meadors
Robert E. Beatty	Judson Harmon	H. H. Miller
B. F. Bedford	Frank Harris	W. H. Miller
Wm. B. Belknap	R. M. Harrison, Jr.	James B. Milliken
Reuben J. Boling	J. Joseph Hettinger	Tyler Munford
Jas. C. Bright	Dr. A. L. Hill	James I. Peters
Corbett Brown	John R. Hobbs	M. D. Phelps
Wallace Brown	G. W. Howard	Steve Pieratt
Mrs. Cecil Cantrill	Ira W. Hulette	Kleber F. Price
Charles Chandler	T. M. Johnson	Waylon Rayburn
J. A. Coleman	F. P. Kessee	W. P. Renfro
D. B. Coughlin	J. H. King	L. D. Sandlin
Joel T. Crenshaw	Leo King	Avery Sartin
G. Cunningham	John Kirtley	Mrs. M. B. Scott
Harry Davis	W. L. Knuckles, Jr.	Harry Sparks
R. A. Demunbrun	Glenn W. Lane	Elmore J. Thomas
S. S. Dickson	Alden L. Love	Harry B. Thornton
George Dunlap	M. T. McCarthy	Starling B. Tracy
Clarence E. Evans	Herschel McKinley	Henry T. Ward
T. P. Fitzpatrick	C. C. McMasters	Robert E. Webb
J. B. Floyd	Roy McWaters	J. B. Wicker
W. J. Garnett	C. C. May	B. M. Williams
C. Gottschalk	J. S. Mattingly	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 73. An Act to establish as a part of the primary system of the State Highways of the Commonwealth of Kentucky a road beginning at a point on U. S. Highway No. 60 above Waverly in Union County, Kentucky, where or near the point on said federal highway where it is crossed by the tracks of the Illinois Central railroad to Hitesville.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on U. S. Highway No. 60 above Waverly in Union County, Kentucky, where or near the point on said federal highway where it is crossed by the tracks of the Illinois Central railroad to Hitesville, and designated as project No. .....,

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly, 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harold L. Barnes	Robert E. Beatty
Carroll D. Asbury	Marshall Barnes	B. F. Bedford

Wm. B. Belknap	Frank Harris	H. H. Miller
Reuben J. Boling	R. M. Harrison, Jr.	W. H. Miller
Jas. C. Bright	J. Joseph Hettinger	James B. Milliken
Corbett Brown	Dr. A. L. Hill	Tyler Munford
Wallace Brown	John R. Hobbs	James I. Peters
Mrs. Cecil Cantrill	G. W. Howard	M. D. Phelps
Charles Chandler	Ira W. Hulette	Steve Pieratt
J. A. Coleman	T. M. Johnson	Kleber F. Price
D. B. Coughlin	F. P. Kessee	Waylon Rayburn
Joel T. Crenshaw	J. H. King	W. P. Renfro
G. Cunningham	Leo King	L. D. Sandlin
Harry Davis	John Kirtley	Avery Sartin
R. A. Demunbrun	W. L. Knuckles, Jr.	Mrs. M. B. Scott
S. S. Dickson	Glenn W. Lane	Harry Sparks
George Dunlap	Alden L. Love	Elmore J. Thomas
Clarence E. Evans	M. T. McCarthy	Harry B. Thornton
T. P. Fitzpatrick	Herschel McKinley	Starling B. Tracy
J. B. Floyd	C. C. McMasters	Henry T. Ward
W. J. Garnett	Roy McWaters	Robt. E. Webb
C. Gottschalk	C. C. May	J. B. Wicker
J. S. Hall	J. S. Mattingly	B. M. Williams
Judson Harmon	L. B. Meadors	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 74. An Act to establish as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Grove Center in Union County, Kentucky, to a point on U. S. Highway 60 near Hamner Station.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Grove Center in Union County, Kentucky and continuing to a point on U. S. Highway No. 60 near Hamner Station, and designated as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly, 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wm. B. Belknap	Charles Chandler
Carroll D. Asbury	Reuben J. Boling	J. A. Coleman
Harold L. Barnes	Jas. C. Bright	D. B. Coughlin
Marshall Barnes	Corbett Brown	Joel T. Crenshaw
Robert E. Beatty	Wallace Brown	G. Cunningham
B. F. Bedford	Mrs. Cecil Cantrill	Harry Davis

R. A. Demunbrun	F. P. Kessee	James I. Peters
S. S. Dickson	J. H. King	M. D. Phelps
George Dunlap	Leo King	Steve Pieratt
Clarence E. Evans	John Kirtley	Kleber F. Price
T. P. Fitzpatrick	W. L. Knuckles, Jr.	Waylon Rayburn
J. B. Floyd	Glenn W. Lane	W. P. Renfro
W. J. Garnett	Alden L. Love	L. D. Sandlin
C. Gottschalk	M. T. McCarthy	Avery Sartin
J. S. Hall	Herschel McKinley	Mrs. M. B. Scott
Judson Harmon	C. C. McMasters	Harry Sparks
Frank Harris	Roy McWaters	Elmore J. Thomas
R. M. Harrison, Jr.	C. C. May	Harry B. Thornton
J. Joseph Hettinger	J. S. Mattingly	Starling B. Tracy
Dr. A. L. Hill	L. B. Meadors	Henry T. Ward
John R. Hobbs	H. H. Miller	Robt. E. Webb
G. W. Howard	W. H. Miller	J. B. Wicker
Ira W. Hulette	James B. Milliken	B. M. Williams
T. M. Johnson	Tyler Munford	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 75. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at a point on State Road No. 56 at or near Spring Grove, in Union County, Kentucky, to Uniontown.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at a point on State Road No. 56 at or near Spring Grove in Union County, Kentucky, to Uniontown, and designated as Project No. .....,

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly, 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Mrs. Cecil Cantrill	T. P. Fitzpatrick
Carroll D. Asbury	Charles Chandler	J. B. Floyd
Harold L. Barnes	J. A. Coleman	W. J. Garnett
Marshall Barnes	D. B. Coughlin	C. Gottschalk
Robert E. Beatty	Joel T. Crenshaw	J. S. Hall
B. F. Bedford	G. Cunningham	Judson Harmon
Wm. B. Belknap	Harry Davis	Frank Harris
Reuben J. Boling	R. A. Demunbrun	R. M. Harrison, Jr.
Jas. C. Bright	S. S. Dickson	J. Joseph Hettinger
Corbett Brown	George Dunlap	Dr. A. L. Hill
Wallace Brown	Clarence E. Evans	John R. Hobbs

G. W. Howard	Roy McWaters	W. P. Renfro
Ira W. Hulette	C. C. May	L. D. Sandlin
T. M. Johnson	J. S. Mattingly	Avery Sartin
F. P. Kessee	L. B. Meadors	Mrs. M. B. Scott
J. H. King	H. H. Miller	Harry Sparks
Leo King	W. H. Miller	Elmore J. Thomas
John Kirtley	James B. Milliken	Harry B. Thornton
W. L. Knuckles, Jr.	Tyler Munford	Starling B. Tracy
Glenn W. Lane	James I. Peters	Henry T. Ward
Alden L. Love	M. D. Phelps	Robt. E. Webb
M. T. McCarthy	Steve Pieratt	J. B. Wicker
Herschel McKinley	Kleber F. Price	B. M. Williams
C. C. McMasters	Waylon Rayburn	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 76. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at a point on U. S. Highway No. 60 near Sturgis, in Union County, Kentucky, and continuing in the direction of "No. 9" road to a point intersecting the Boxville-Sullivan road near Wynn's bridge.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at a point on U. S. Highway No. 60 near Sturgis, in Union County, Kentucky, and continuing in the direction of "No. 9" road to a point intersecting the Boxville-Sullivan road near Wynn's bridge, and designated as Project No. .....,

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly of 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Mrs. Cecil Cantrill	T. P. Fitzpatrick
Carroll D. Asbury	Charles Chandler	J. B. Floyd
Harold L. Barnes	J. A. Coleman	W. J. Garnett
Marshall Barnes	D. B. Coughlin	C. Gottschalk
Robert E. Beatty	Joel T. Crenshaw	J. S. Hall
B. F. Bedford	G. Cunningham	Judson Harmon
Wm. B. Belknap	Harry Davis	Frank Harris
Reuben J. Boling	R. A. Demunbrun	R. M. Harrison, Jr.
Jas. C. Bright	S. S. Dickson	J. Joseph Hettinger
Corbett Brown	George Dunlap	Dr. A. L. Hill
Wallace Brown	Clarence E. Evans	John R. Hobbs

G. W. Howard	Roy McWaters	W. P. Renfro
Ira W. Hulette	C. C. May	L. D. Sandlin
T. M. Johnson	J. S. Mattingly	Avery Sartin
F. P. Kessee	L. B. Meadors	Mrs. M. B. Scott
J. H. King	H. H. Miller	Harry Sparks
Leo King	W. H. Miller	Elmore J. Thomas
John Kirtley	James B. Milliken	Harry B. Thornton
W. L. Knuckles, Jr.	Tyler Munford	Starling B. Tracy
Glenn W. Lane	James I. Peters	Henry T. Ward
Alden L. Love	M. D. Phelps	Robert E. Webb
M. T. McCarthy	Steve Pieratt	J. B. Wicker
Herschel McKinley	Kleber F. Price	B. M. Williams
C. C. McMasters	Waylon Rayburn	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 77. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at a point on the Boxville-Sullivan road in Union County, near Bordley, and intersecting with U. S. Highway No. 60 at or near Salem.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at a point on the Boxville-Sullivan road in Union County, near Bordley, and intersecting with U. S. Highway No. 60 at or near Salem, and designated as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly, 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Joel T. Crenshaw	J. Joseph Hettinger
Carroll D. Asbury	G. Cunningham	Dr. A. L. Hill
Harold L. Barnes	Harry Davis	John R. Hobbs
Marshall Barnes	R. A. Demunbrun	G. W. Howard
Robert E. Beatty	S. S. Dickson	Ira W. Hulette
B. F. Bedford	George Dunlap	T. M. Johnson
Wm. B. Belknap	Clarence E. Evans	F. P. Kessee
Reuben J. Boling	T. P. Fitzpatrick	J. H. King
Jas. C. Bright	J. B. Floyd	Leo King
Corbett Brown	W. J. Garnett	John Kirtley
Wallace Brown	C. Gottschalk	W. L. Knuckles, Jr.
Mrs. Cecil Cantrill	J. S. Hall	Glenn W. Lane
Charles Chandler	Judson Harmon	Alden L. Love
J. A. Coleman	Frank Harris	M. T. McCarthy
D. B. Coughlin	R. M. Harrison, Jr.	Herschel McKinley

C. C. McMasters	James I. Peters	Harry Sparks
Roy McWaters	M. D. Phelps	Elmore J. Thomas
C. C. May	Steve Pieratt	Harry B. Thornton
J. S. Mattingly	Kleber F. Price	Starling B. Tracy
L. B. Meadors	Waylon Rayburn	Henry T. Ward
H. H. Miller	W. P. Renfro	Robt. E. Webb
W. H. Miller	L. D. Sandlin	J. B. Wicker
James B. Milliken	Avery Sartin	B. M. Williams
Tyler Munford	Mrs. M. B. Scott	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 103. An Act relating to the system of primary state roads, and to establish as a part of the primary system of highways a road between the mouth of Big Creek, in Pike County, Kentucky, and Peter Creek in Pike County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is established as a part of the primary system of state highways in the Commonwealth of Kentucky, a road beginning at or near the mouth of Big Creek, in Pike County, Kentucky, on the highway running up the Levisa

Fork of Big Sandy River, and thence running up Big Creek by the most practical route so as to connect with the primary system of state highways running up Peter Creek, above Phelps, Pike County, Kentucky, and said road shall be known and designated as project No. ....., of said primary highway system.

§ 2. The construction, maintenance, and control of said road shall be subject to and controlled by the provisions of Chapter 17 of the Acts of the 1920 session of the General Assembly, as amended, to the same effect as if said road had been named and created in the original Act as one of the projects of the primary system of state highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Charles Chandler	W. J. Garnett
Carroll D. Asbury	J. A. Coleman	C. Gottschalk
Harold L. Barnes	D. B. Coughlin	J. S. Hall
Marshall Barnes	Joel T. Crenshaw	Judson Harmon
Robert E. Beatty	G. Cunningham	Frank Harris
B. F. Bedford	Harry Davis	R. M. Harrison, Jr.
Wm. B. Belknap	R. A. Demunbrun	J. Joseph Hettinger
Reuben J. Boling	S. S. Dickson	Dr. A. L. Hill
Jas. C. Bright	George Dunlap	John R. Hobbs
Corbett Brown	Clarence E. Evans	G. W. Howard
Wallace Brown	T. P. Fitzpatrick	Ira W. Hulette
Mrs. Cecil Cantrill	J. B. Floyd	T. M. Johnson

F. P. Kessee	J. S. Mattingly	L. D. Sandlin
J. H. King	L. B. Meadors	Avery Sartin
Leo King	H. H. Miller	Mrs. M. B. Scott
John Kirtley	W. H. Miller	Harry Sparks
W. L. Knuckles, Jr.	James B. Milliken	Elmore J. Thomas
Glenn W. Lane	Tyler Munford	Harry B. Thornton
Alden L. Love	James I. Peters	Starling B. Tracy
M. T. McCarthy	M. D. Phelps	Henry T. Ward
Herschel McKinley	Steve Pieratt	Robert E. Webb
C. C. McMasters	Kleber F. Price	J. B. Wicker
Roy McWaters	Waylon Rayburn	B. M. Williams
C. C. May	W. P. Renfro	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 104. An Act relating to the system of primary state roads, and to establish as a part of the primary system of highways a road between the mouth of Feds Creek, Pike County, Kentucky, and Peter Creek, Pike County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is established as a part of the primary system of state highways in the Commonwealth of Kentucky,

a road beginning on the state highway running up the Levisa Fork of Big Sandy River, in Pike County, Kentucky, at or near the mouth of Feds Creek and thence running up Feds Creek by the most practical route so as to connect with the primary system of state highways running up Peter Creek, in Pike County, Kentucky, and said road shall be known and designated as Project No. ....., of said primary highway system.

§ 2. The construction, maintenance and control of said road shall be subject to and controlled by the provisions of Chapter 17, Acts of the 1920 Session of the General Assembly, as amended, to the same effect as if said road had been named and created in the original Act as one of the projects of the primary system of state highways as provided therein.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wallace Brown	George Dunlap
Carroll D. Asbury	Mrs. Cecil Cantrill	Clarence E. Evans
Harold L. Barnes	Charles Chandler	T. P. Fitzpatrick
Marshall Barnes	J. A. Coleman	J. B. Floyd
Robert E. Beatty	D. B. Coughlin	W. J. Garnett
B. F. Bedford	Joel T. Crenshaw	C. Gottschalk
Wm. B. Belknap	G. Cunningham	J. S. Hall
Reuben J. Boling	Harry Davis	Judson Harmon
Jas. C. Bright	R. A. Demunbrun	Frank Harris
Corbett Brown	S. S. Dickson	R. M. Harrison, Jr.

J. Joseph Hettinger	Herschel McKinley	Waylon Rayburn
Dr. A. L. Hill	C. C. McMasters	W. P. Renfro
John R. Hobbs	Roy McWaters	L. D. Sandlin
G. W. Howard	C. C. May	Avery Sartin
Ira W. Hulette	J. S. Mattingly	Mrs. M. B. Scott
T. M. Johnson	L. B. Meadors	Harry Sparks
F. P. Kessee	H. H. Miller	Elmore J. Thomas
J. H. King	W. H. Miller	Harry B. Thornton
Leo King	James B. Milliken	Starling B. Tracy
John Kirtley	Tyler Munford	Henry T. Ward
W. L. Knuckles, Jr.	James I. Peters	Robert E. Webb
Glenn W. Lane	M. D. Phelps	J. B. Wicker
Alden L. Love	Steve Pieratt	B. M. Williams
M. T. McCarthy	Kleber F. Price	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 109. An Act to add to the primary road system of public roads, a road leading from or near West Irvine on Highway No 52 in Estill County, Kentucky, by way of Station Camp to Highway No. 21 at or near Big Hill in Madison County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the primary road system of state highways of the Commonwealth of Kentucky a road beginning at or near West Irvine in Estill County, Kentucky, on State Highway No. 52 and running by Station Camp up Red Lick Creek to a point at or near Big Hill in Madison County, Kentucky, on State Highway No. 21.

The construction, maintenance, supervision and control of said road shall be subject to and controlled by all the terms and conditions set out and provided for in Chapter 17 of the Acts of the General Assembly of 1920 establishing and creating a primary system of State Highways, the same as though said road had been named in said original Act as one of the projects of said primary system of Highways.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Mrs. Cecil Cantrill	T. P. Fitzpatrick
Carroll D. Asbury	Charles Chandler	J. B. Floyd
Harold L. Barnes	J. A. Coleman	W. J. Garnett
Marshall Barnes	D. B. Coughlin	C. Gottschalk
Robert E. Beatty	Joel T. Crenshaw	J. S. Hall
B. F. Bedford	G. Cunningham	Judson Harmon
Wm. B. Belknap	Harry Davis	Frank Harris
Reuben J. Boling	R. A. Demunbrun	R. M. Harrison, Jr.
Jas. C. Bright	S. S. Dickson	J. Joseph Hettinger
Corbett Brown	George Dunlap	Dr. A. L. Hill
Wallace Brown	Clarence E. Evans	John R. Hobbs

G. W. Howard	Roy McWaters	W. P. Renfro
Ira W. Hulette	C. C. May	L. D. Sandlin
T. M. Johnson	J. S. Mattingly	Avery Sartin
F. P. Kessee	L. B. Meadors	Mrs. M. B. Scott
J. H. King	H. H. Miller	Harry Sparks
Leo King	W. H. Miller	Elmore J. Thomas
John Kirtley	James B. Milliken	Harry B. Thornton
W. L. Knuckles, Jr.	Tyler Munford	Starling B. Tracy
Glenn W. Lane	James I. Peters	Henry T. Ward
Alden L. Love	M. D. Phelps	Robert E. Webb
M. T. McCarthy	Steve Pieratt	J. B. Wicker
Herschel McKinley	Kleber F. Price	B. M. Williams
C. C. McMasters	Waylon Rayburn	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 116. An Act creating and establishing as a part of the primary system of State Highways a road beginning near N. R. Dowds scales at a point approximately two and one-half miles southeast of Wheatley, Kentucky, on U. S. 227, and running in a southwesternly direction intersecting with Jenkins Road about one mile from said State Highway 227 and continuing to a point intersecting State Highway at Moxley, Kentucky, a distance of approximately five miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby created and established as a part of the Highway System of the Commonwealth of Kentucky a road beginning near N. R. Dowds scales at a point approximately two and one half miles southeast of Wheatley, Kentucky, on U. S. 227 and running in a southwesterly direction intersecting with Jenkins Road about one mile from said State Highway 227 and continuing to a point intersecting State Highway at Moxley, Kentucky, a distance of approximately five miles.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Charles Chandler	W. J. Garnett
Carroll D. Asbury	J. A. Coleman	C. Gottschalk
Harold L. Barnes	D. B. Coughlin	J. S. Hall
Marshall Barnes	Joel T. Crenshaw	Judson Harmon
Robert E. Beatty	G. Cunningham	Frank Harris
B. F. Bedford	Harry Davis	R. M. Harrison, Jr.
Wm. B. Belknap	R. A. Demunbrun	J. Joseph Hettinger
Reuben J. Boling	S. S. Dickson	Dr. A. L. Hill
Jas. C. Bright	George Dunlap	John R. Hobbs
Corbett Brown	Clarence E. Evans	G. W. Howard
Wallace Brown	T. P. Fitzpatrick	Ira W. Hulette
Mrs. Cecil Cantrill	J. B. Floyd	T. M. Johnson

F. P. Kessee	J. S. Mattingly	L. D. Sandlin
J. H. King	L. B. Meadors	Avery Sartin
Leo King	H. H. Miller	Mrs. M. B. Scott
John Kirtley	W. H. Miller	Harry Sparks
W. L. Knuckles, Jr.	James B. Milliken	Elmore J. Thomas
Glenn W. Lane	Tyler Munford	Harry B. Thornton
Alden L. Love	James I. Peters	Starling B. Tracy
M. T. McCarthy	M. D. Phelps	Henry T. Ward
Herschel McKinley	Steve Pieratt	Robert E. Webb
C. C. McMasters	Kleber F. Price	J. B. Wicker
Roy McWaters	Waylon Rayburn	B. M. Williams
C. C. May	W. P. Renfro	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 119. An Act to add to the Primary Road System a road leading from Hitchins, in Carter County, to Webbville in Lawrence County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. There is hereby established as a part of the Pri-

mary Road System of this Commonwealth the following project.

Beginning at Hitchins in Carter County and following and including the road bed and bridges of the Eastern Kentucky Railway now abandoned and going by the way of said abandoned railroad by the way of Hitchens, Willard and to Webbville in Lawrence County, Kentucky.

§ 2. This road thus established to be designated as Project No. ....., and to be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect relating to the Primary Road System in the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Charles Chandler	W. J. Garnett
Carroll D. Asbury	J. A. Coleman	C. Gottschalk
Harold L. Barnes	D. B. Coughlin	J. S. Hall
Marshall Barnes	Joel T. Crenshaw	Judson Harmon
Robert E. Beatty	G. Cunningham	Frank Harris
B. F. Bedford	Harry Davis	R. M. Harrison, Jr.
Wm. B. Belknap	R. A. Demunbrun	J. Joseph Hettinger
Reuben J. Boling	S. S. Dickson	Dr. A. L. Hill
Jas. C. Bright	George Dunlap	John R. Hobbs
Corbett Brown	Clarence E. Evans	G. W. Howard
Wallace Brown	T. P. Fitzpatrick	Ira W. Hulette
Mrs. Cecil Cantrill	J. B. Floyd	T. M. Johnson

F. P. Kessee	J. S. Mattingly	L. D. Sandlin
J. H. King	L. B. Meadors	Avery Sartin
Leo King	H. H. Miller	Mrs. M. B. Scott
John Kirtley	W. H. Miller	Harry Sparks
W. L. Knuckles, Jr.	James B. Milliken	Elmore J. Thomas
Glenn W. Lane	Tyler Munford	Harry B. Thornton
Alden L. Love	James I. Peters	Starling B. Tracy
M. T. McCarthy	M. D. Phelps	Henry T. Ward
Herschel McKinley	Steve Pieratt	Robert E. Webb
C. C. McMasters	Kleber F. Price	J. B. Wicker
Roy McWaters	Waylon Rayburn	B. M. Williams
C. C. May	W. P. Renfro	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 121. An Act relating to roads and highways and describing and establishing a project to be added to the State Primary System of roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

There is hereby established as a part of the Primary System of highways in this Commonwealth as created by

Chapter 17 of the Acts of the General Assembly of 1920 and amended by Session Acts of 1922, 1924, 1926, 1928, 1930, 1932, the following project, to-wit:

Beginning on the Ohio River at Turner's landing in Ballard County opposite where the Egyptian Highway from Chicago (or U. S. Highway 147), strikes the Ohio River; thence to Oscar; then to La Center; thence to Hinkleville; thence to Gage; to intersect the Highway now being built from Lovelaceville to Wickliffe.

This road thus established to be designated as Project No. ....., and to be entitled to and receive all the benefits of such laws as are now or may hereafter be in effect relating to the Primary System of roads and highways in the Commonwealth of Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wallace Brown	George Dunlap
Carroll D. Asbury	Mrs. Cecil Cantrill	Clarence E. Evans
Harold L. Barnes	Charles Chandler	T. P. Fitzpatrick
Marshall Barnes	J. A. Coleman	J. B. Floyd
Robert E. Beatty	D. B. Coughlin	W. J. Garnett
B. F. Bedford	Joel T. Crenshaw	C. Gottschalk
Wm. B. Belknap	G. Cunningham	J. S. Hall
Reuben J. Boling	Harry Davis	Judson Harmon
Jas. C. Bright	R. A. Demunbrun	Frank Harris
Corbett Brown	S. S. Dickson	R. M. Harrison, Jr.

J. Joseph Hettinger	Herschel McKinley	Waylon Rayburn
Dr. A. L. Hill	C. C. McMasters	W. P. Renfro
John R. Hobbs	Roy McWaters	L. D. Sandlin
G. W. Howard	C. C. May	Avery Sartin
Ira W. Hulette	J. S. Mattingly	Mrs. M. B. Scott
T. M. Johnson	L. B. Meadors	Harry Sparks
F. P. Kessee	H. H. Miller	Elmore J. Thomas
J. H. King	W. H. Miller	Harry B. Thornton
Leo King	James B. Milliken	Starling B. Tracy
John Kirtley	Tyler Munford	Henry T. Ward
W. L. Knuckles, Jr.	James I. Peters	Robert E. Webb
Glenn W. Lane	M. D. Phelps	J. B. Wicker
Alden L. Love	Steve Pieratt	B. M. Williams
M. T. McCarthy	Kleber F. Price	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 156. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Dan Druin place on the Jackson Highway (31E) near Linwood in Hart County, Kentucky, and running by Hinesdale, Boiling Springs Church, the J. H. Crump farm to the forks of the road at the Green Johnson place or farm in said County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there be and there now is established as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Dan Druin place on the Jackson Highway (31E) near Linwood in Hart County, Kentucky, and running by Hinesdale, Boiling Springs Church, the J. H. Crump farm to the forks of the road at the Green Johnson place or farm in said county.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	J. A. Coleman	J. S. Hall
Carroll D. Asbury	D. B. Coughlin	Judson Harmon
Harold L. Barnes	Joel T. Crenshaw	Frank Harris
Marshall Barnes	G. Cunningham	R. M. Harrison, Jr.
Robert E. Beatty	Harry Davis	J. Joseph Hettinger
B. F. Bedford	R. A. Demunbrun	Dr. A. L. Hill
Wm. B. Belknap	S. S. Dickson	John R. Hobbs
Reuben J. Boling	George Dunlap	G. W. Howard
Jas. C. Bright	Clarence E. Evans	Ira W. Hulette
Corbett Brown	T. P. Fitzpatrick	T. M. Johnson
Wallace Brown	J. B. Floyd	F. P. Kessee
Mrs. Cecil Cantrill	W. J. Garnett	J. H. King
Charles Chandler	C. Gottschalk	Leo King

John Kirtley	H. H. Miller	Avery Sartin
W. L. Knuckles, Jr.	W. H. Miller	Mrs. M. B. Scott
Glenn W. Lane	James B. Milliken	Harry Sparks
Alden L. Love	Tyler Munford	Elmore J. Thomas
M. T. McCarthy	James I. Peters	Harry B. Thornton
Herschel McKinley	M. D. Phelps	Starling B. Tracy
C. C. McMasters	Steve Pieratt	Henry T. Ward
Roy McWaters	Kleber F. Price	Robert E. Webb
C. C. May	Waylon Rayburn	J. B. Wicker
J. S. Mattingly	W. P. Renfro	B. M. Williams
L. B. Meadors	L. D. Sandlin	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 160. An Act to establish as a part of the Primary System of Highways of the Commonwealth of Kentucky a road running from the west end of Fifth Street at the city corporation limits of Corbin, Whitley County, Kentucky, to the Cumberland Falls Highway at Howard Alsip's farm, Whitley County, Kentucky.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the Primary System of State Highways of the Commonwealth of Kentucky a road running from the west end of Fifth Street at the city corporation limits of Corbin, Whitley County, Kentucky, by the way of Lee Ellison's farm, Green R. Harp's farm, and Barton Post Office as now located to the Cumberland Falls Highway at Howard Alsip's farm, Whitley County, Kentucky.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	G. Cunningham	John R. Hobbs
Carroll D. Asbury	Harry Davis	G. W. Howard
Harold L. Barnes	R. A. Demunbrun	Ira W. Hulette
Marshall Barnes	S. S. Dickson	T. M. Johnson
Robert E. Beatty	George Dunlap	F. P. Kessee
B. F. Bedford	Clarence E. Evans	J. H. King
Wm. B. Belknap	T. P. Fitzpatrick	Leo King
Reuben J. Boling	J. B. Floyd	John Kirtley
Jas. C. Bright	W. J. Garnett	W. L. Knuckles, Jr.
Corbett Brown	C. Gottschalk	Glenn W. Lane
Wallace Brown	J. S. Hall	Alden L. Love
Mrs. Cecil Cantrill	Judson Harmon	M. T. McCarthy
Charles Chandler	Frank Harris	Herschel McKinley
J. A. Coleman	R. M. Harrison, Jr.	C. C. McMasters
D. B. Coughlin	J. Joseph Hettinger	Roy McWaters
Joel T. Crenshaw	Dr. A. L. Hill	C. C. May

J. S. Mattingly	Steve Pieratt	Elmore J. Thomas
L. B. Meadors	Kleber F. Price	Harry B. Thornton
H. H. Miller	Waylon Rayburn	Starling B. Tracy
W. H. Miller	W. P. Renfro	Henry T. Ward
James B. Milliken	L. D. Sandlin	Robert E. Webb
Tyler Munford	Avery Sartin	J. B. Wicker
James I. Peters	Mrs. M. B. Scott	B. M. Williams
M. D. Phelps	Harry Sparks	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 164. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning on U. S. Highway No. 56 between Little Union and Sulphur Springs, running north to a point on U. S. Highway No. 60, near Flournoy.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning on U. S. Highway No. 56, between Little Union and Sulphur Springs, running north to a point

on U. S. Highway No. 60 near Flourney, and designated as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly of 1920 as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	S. S. Dickson	Leo King
Carroll D. Asbury	George Dunlap	John Kirtley
Harold L. Barnes	Clarence E. Evans	W. L. Knuckles, Jr.
Marshall Barnes	T. P. Fitzpatrick	Glenn W. Lane
Robert E. Beatty	J. B. Floyd	Alden L. Love
B. F. Bedford	W. J. Garnett	M. T. McCarthy
Wm. B. Belknap	C. Gottschalk	Herschel McKinley
Reuben J. Boling	J. S. Hall	C. C. McMasters
Jas. C. Bright	Judson Harmon	Roy McWaters
Corbett Brown	Frank Harris	C. C. May
Wallace Brown	R. M. Harrison, Jr.	J. S. Mattingly
Mrs. Cecil Cantrill	J. Joseph Hettinger	L. B. Meadors
Charles Chandler	Dr. A. L. Hill	H. H. Miller
J. A. Coleman	John R. Hobbs	W. H. Miller
D. B. Coughlin	G. W. Howard	James B. Milliken
Joel T. Crenshaw	Ira W. Hulette	Tyler Munford
G. Cunningham	T. M. Johnson	James I. Peters
Harry Davis	F. P. Kessee	M. D. Phelps
R. A. Demunbrun	J. H. King	Steve Pieratt

Kleber F. Price	Mrs. M. B. Scott	Henry T. Ward
Waylon Rayburn	Harry Sparks	Robert E. Webb
W. P. Renfro	Elmore J. Thomas	J. B. Wicker
L. D. Sandlin	Harry B. Thornton	B. M. Williams
Avery Sartin	Starling B. Tracy	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 167. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at a point at or near Russell's Store on State Highway No. 56, running north to a point at or near Kennedy's Church and Kennedy's School House, thence intersecting State Highway road from Boxville to Waverly.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at a point at or near Russell's Store on State Highway No. 56, running north to a point at or near Kennedy's Church and Kennedy's School House,

thence intersecting State Highway road from Boxville to Waverly, and designated as Project No. .....

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly of 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	R. A. Demunbrun	F. P. Kessee
Carroll D. Asbury	S. S. Dickson	J. H. King
Harold L. Barnes	George Dunlap	Leo King
Marshall Barnes	Clarence E. Evans	John Kirtley
Robert E. Beatty	T. P. Fitzpatrick	W. L. Knuckles, Jr.
B. F. Bedford	J. B. Floyd	Glenn W. Lane
Wm. B. Belknap	W. J. Garnett	Alden L. Love
Reuben J. Boling	C. Gottschalk	M. T. McCarthy
Jas. C. Bright	J. S. Hall	Herschel McKinley
Corbett Brown	Judson Harmon	C. C. McMasters
Wallace Brown	Frank Harris	Roy McWaters
Mrs. Cecil Cantrill	R. M. Harrison, Jr.	C. C. May
Charles Chandler	J. Joseph Hettinger	J. S. Mattingly
J. A. Coleman	Dr. A. L. Hill	L. B. Meadors
D. B. Coughlin	John R. Hobbs	H. H. Miller
Joel T. Crenshaw	G. W. Howard	W. H. Miller
G. Cunningham	Ira W. Hulette	James B. Milliken
Harry Davis	T. M. Johnson	Tyler Munford

James I. Peters	L. D. Sandlin	Starling B. Tracy
M. D. Phelps	Avery Sartin	Henry T. Ward
Steve Pieratt	Mrs. M. B. Scott	Robert E. Webb
Kleber F. Price	Harry Sparks	J. B. Wicker
Waylon Rayburn	Elmore J. Thomas	B. M. Williams
W. P. Renfro	Harry B. Thornton	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 168. An Act to establish as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at a point on U. S. Highway No. 60 at Higginson's Crossing, and running east with Peter Z. Abel road to a point on the Boxville-Waverly State Highway at or near New Liberty Church.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby established as a part of the primary system of the highways of the Commonwealth of Kentucky a road beginning at a point on U. S. Highway No. 60 at Higginson's Crossing, and running east with Peter Z.

Abel road to a point on the Boxville-Waverly State Highway at or near New Liberty Church.

§ 2. The construction, maintenance, supervision and control of said road shall be subject to all of the terms and provisions set out and provided for in Chapter 17 in the Acts of the General Assembly of 1920, as amended.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	S. S. Dickson	Leo King
Carroll D. Asbury	George Dunlap	John Kirtley
Harold L. Barnes	Clarence E. Evans	W. L. Knuckles, Jr.
Marshall Barnes	T. P. Fitzpatrick	Glenn W. Lane
Robert E. Beatty	J. B. Floyd	Alden L. Love
B. F. Bedford	W. J. Garnett	M. T. McCarthy
Wm. B. Belknap	C. Gottschalk	Herschel McKinley
Reuben J. Boling	J. S. Hall	C. C. McMasters
Jas. C. Bright	Judson Harmon	Roy McWaters
Corbett Brown	Frank Harris	C. C. May
Wallace Brown	R. M. Harrison, Jr.	J. S. Mattingly
Mrs. Cecil Cantrill	J. Joseph Hettinger	L. B. Meadors
Charles Chandler	Dr. A. L. Hill	H. H. Miller
J. A. Coleman	John R. Hobbs	W. H. Miller
D. B. Coughlin	G. W. Howard	James B. Milliken
Joel T. Crenshaw	Ira W. Hulette	Tyler Munford
G. Cunningham	T. M. Johnson	James I. Peters
Harry Davis	F. P. Kessee	M. D. Phelps
R. A. Demunbrun	J. H. King	Steve Pieratt

Kleber F. Price	Mrs. M. B. Scott	Henry T. Ward
Waylon Rayburn	Harry Sparks	Robt. E. Webb
W. P. Renfro	Elmore J. Thomas	J. B. Wicker
L. D. Sandlin	Harry B. Thornton	B. M. Williams
Avery Sartin	Starling B. Tracy	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 169. An Act establishing a State primary road Project No. ....., starting at a point about 200 feet south of the Clifty Creek bridge on State Highway No. 81, near Penrod, Muhlenberg County, Kentucky, and ending near the Pleasant Hill Schoolhouse on the Morgantown and Rochester Road in Butler County.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. An Act establishing a State primary road project No. ....., starting at a point about 200 feet south of the Clifty Creek bridge on State Highway No. 81, near Penrod, Muhlenberg County Kentucky; thence by the most convenient route by way of the Gus Postoffice to Arnold's Bridge on Mud River; thence by way of the Raymond Grayson farm, the

most convenient route to Huntsville, Butler County, Kentucky; thence to the Morgantown and Rochester Road at the most convenient place near the Pleasant Hill Schoolhouse. A total distance of approximately eleven and one-half miles.

§ 2. The construction, maintenance, supervision, and control of said road shall be subject to the terms and conditions as set out and provided in Chapter 17, Acts of the General Assembly, 1920, establishing and creating a primary system of State roads.

§ 3. That said road shall be known and designated as the Leonard H. Anderson Trail.

Ordered, that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	J. A. Coleman	J. S. Hall
Carroll D. Asbury	D. B. Coughlin	Judson Harmon
Harold L. Barnes	Joel T. Crenshaw	Frank Harris
Marshall Barnes	G. Cunningham	R. M. Harrison, Jr.
Robert E. Beatty	Harry Davis	J. Joseph Hettinger
B. F. Bedford	R. A. Demunbrun	Dr. A. L. Hill
Wm. B. Belknap	S. S. Dickson	John R. Hobbs
Reuben J. Boling	George Dunlap	G. W. Howard
Jas. C. Bright	Clarence E. Evans	Ira W. Hulette
Corbett Brown	T. P. Fitzpatrick	T. M. Johnson
Wallace Brown	J. B. Floyd	F. P. Kessee
Mrs. Cecil Cantrill	W. J. Garnett	J. H. King
Charles Chandler	C. Gottschalk	Leo King

John Kirtley	H. H. Miller	Avery Sartin
W. L. Knuckles, Jr.	W. H. Miller	Mrs. M. B. Scott
Glenn W. Lane	James B. Milliken	Harry Sparks
Alden L. Love	Tyler Munford	Elmore J. Thomas
M. T. McCarthy	James I. Peters	Harry B. Thornton
Herschel McKinley	M. D. Phelps	Starling B. Tracy
C. C. McMasters	Steve Pieratt	Henry T. Ward
Roy McWaters	Kleber F. Price	Robert E. Webb
C. C. May	Waylon Rayburn	J. B. Wicker
J. S. Mattingly	W. P. Renfro	B. M. Williams
L. B. Meadors	L. D. Sandlin	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 171. An Act relating to roads and highways and describing and defining a project to be added to the primary system of roads and highways.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the road beginning on Route 23 at the Brown School House in Johnson County, Kentucky, and running to Wilbur, Lawrence County, Kentucky, be and is hereby made a part

of the primary system of Roads and Highways of this Commonwealth.

The construction, maintenance, supervision and control of said project shall be subject to all the terms and conditions set out and provided for in Chapter 17, of the Acts of 1920, establishing and creating a primary system of State Roads.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	R. A. Demunbrun	F. P. Kessee
Carroll D. Asbury	S. S. Dickson	J. H. King
Harold L. Barnes	George Dunlap	Leo King
Marshall Barnes	Clarence E. Evans	John Kirtley
Robert E. Beatty	T. P. Fitzpatrick	W. L. Knuckles, Jr.
B. F. Bedford	J. B. Floyd	Glenn W. Lane
Wm. B. Belknap	W. J. Garnett	Alden L. Love
Reuben J. Boling	C. Gottschalk	M. T. McCarthy
Jas. C. Bright	J. S. Hall	Herschel McKinley
Corbett Brown	Judson Harmon	C. C. McMasters
Wallace Brown	Frank Harris	Roy McWaters
Mrs. Cecil Cantrill	R. M. Harrison, Jr.	C. C. May
Charles Chandler	J. Joseph Hettinger	J. S. Mattingly
J. A. Coleman	Dr. A. L. Hill	L. B. Meadors
D. B. Coughlin	John R. Hobbs	H. H. Miller
Joel T. Crenshaw	G. W. Howard	W. H. Miller
G. Cunningham	Ira W. Hulette	James B. Milliken
Harry Davis	T. M. Johnson	Tyler Munford

James I. Peters	L. D. Sandlin	Starling B. Tracy
M. D. Phelps	Avery Sartin	Henry T. Ward
Steve Pieratt	Mrs. M. B. Scott	Robert E. Webb
Kleber F. Price	Harry Sparks	J. B. Wicker
Waylon Rayburn	Elmore J. Thomas	B. M. Williams
W. P. Renfro	Harry B. Thornton	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 172. An Act establishing as a part of the system of state primary roads a road beginning at a point in the Liberty and Campbellsville Highway on Casey's Creek, near Clementsville in Casey County and running thence to Carman's Store on the Liberty and Lebanon Highway, a distance of approximately 11 miles.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is established as a part of the State primary system of the State of Kentucky a road beginning at a point in the Liberty and Campbellsville Highway on Caseys Creek near Clementsville in Casey County and running thence up said Caseys Creek to Atterson post office, and thence to

Ed post office, and thence to Carman's Store on the Liberty and Lebanon Highway, a distance of approximately 11 miles.

§ 2. That the construction, maintenance and control of said road shall be subject to all the terms and conditions provided for in Chapter 17, Acts of 1920, and amendments thereto, establishing and creating a primary system of state roads.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	S. S. Dickson	Leo King
Carroll D. Asbury	George Dunlap	John Kirtley
Harold L. Barnes	Clarence E. Evans	W. L. Knuckles, Jr.
Marshall Barnes	T. P. Fitzpatrick	Glenn W. Lane
Robert E. Beatty	J. B. Floyd	Alden L. Love
B. F. Bedford	W. J. Garnett	M. T. McCarthy
Wm. B. Belknap	C. Gottschalk	Herschel McKinley
Reuben J. Boling	J. S. Hall	C. C. McMasters
Jas. C. Bright	Judson Harmon	Roy McWaters
Corbett Brown	Frank Harris	C. C. May
Wallace Brown	R. M. Harrison, Jr.	J. S. Mattingly
Mrs. Cecil Cantrill	J. Joseph Hettinger	L. B. Meadors
Charles Chandler	Dr. A. L. Hill	H. H. Miller
J. A. Coleman	John R. Hobbs	W. H. Miller
D. B. Coughlin	G. W. Howard	James B. Milliken
Joel T. Crenshaw	Ira W. Hulette	Tyler Munford
G. Cunningham	T. M. Johnson	James I. Peters
Harry Davis	F. P. Kessee	M. D. Phelps
R. A. Demunbrun	J. H. King	Steve Pieratt

Kleber F. Price	Mrs. M. B. Scott	Henry T. Ward
Waylon Rayburn	Harry Sparks	Robert E. Webb
W. P. Renfro	Elmore J. Thomas	J. B. Wicker
L. D. Sandlin	Harry B. Thornton	B. M. Williams
Avery Sartin	Starling B. Tracy	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 187. An Act to establish as a part of the primary system of highways of the Commonwealth of Kentucky, a road beginning at the intersection of the Lewisberg and Quality Road near Lewis Webb Farm, thence via T. D. Fuller farm, Boston, Union, Leetown, and intersecting the Morristown-Russellville Road near Carve Rock School House.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is now established as one of the primary road projects of the Commonwealth of Kentucky, the following: Beginning at the intersection of the Lewisburg and Quality Road near Lewis Webb farm, thence via T. D. Fuller farm, Boston, Union, Leetown, and intersecting the

Morgantown-Russellville Road near Carve Rock School House.

The route so established to be designated as Project No. ....., and to be entitled to receive all the benefits of such laws as are now or may hereafter be in effect with relation to the primary system of highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	S. S. Dickson	Leo King
Carroll D. Asbury	George Dunlap	John Kirtley
Harold L. Barnes	Clarence E. Evans	W. L. Knuckles, Jr.
Marshall Barnes	T. P. Fitzpatrick	Glenn W. Lane
Robert E. Beatty	J. B. Floyd	Alden L. Love
B. F. Bedford	W. J. Garnett	M. T. McCarthy
Wm. B. Belknap	C. Gottschalk	Herschel McKinley
Reuben J. Boling	J. S. Hall	C. C. McMasters
Jas. C. Bright	Judson Harmon	Roy McWaters
Corbett Brown	Frank Harris	C. C. May
Wallace Brown	R. M. Harrison, Jr.	J. S. Mattingly
Mrs. Cecil Cantrill	J. Joseph Hettinger	L. B. Meadors
Charles Chandler	Dr. A. L. Hill	H. H. Miller
J. A. Coleman	John R. Hobbs	W. H. Miller
D. B. Coughlin	G. W. Howard	James B. Milliken
Joel T. Crenshaw	Ira W. Hulette	Tyler Munford
G. Cunningham	T. M. Johnson	James I. Peters
Harry Davis	F. P. Kessee	M. D. Phelps
R. A. Demunbrun	J. H. King	Steve Pieratt

Kleber F. Price	Mrs. M. B. Scott	Henry T. Ward
Waylon Rayburn	Harry Sparks	Robt. E. Webb
W. P. Renfro	Elmore J. Thomas	J. B. Wicker
L. D. Sandlin	Harry B. Thornton	B. M. Williams
Avery Sartin	Starling B. Tracy	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 188. An Act establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at the Morgantown-Russellville Road near Davis Cross Roads, thence via Steven's Chapel, Union, Silver City, intersecting the Morgantown-Greenville Road near Sweezer's Store.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That there be and is established as one of the primary road projects of the Commonwealth of Kentucky, the following: Beginning at the Morgantown-Russellville Road near Davis Cross Roads thence via Steven's, Chapel, Union, Silver City, intersecting the Morgantown-Greenville Road near Sweezer's Store.

The route established to be designated as Project No. ....., and to be entitled to receive all benefits of such laws as are now or may hereafter be in effect with relation to the primary system of highways.

Ordered that said bill be read the third time.

The constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Clarence E. Evans	Alden L. Love
Carroll D. Asbury	T. P. Fitzpatrick	M. T. McCarthy
Harold L. Barnes	J. B. Floyd	Herschel McKinley
Marshall Barnes	W. J. Garnett	C. C. McMasters
Robert E. Beatty	C. Gottschalk	Roy McWaters
B. F. Bedford	J. S. Hall	C. C. May
Wm. B. Belknap	Judson Harmon	J. S. Mattingly
Reuben J. Boling	Frank Harris	L. B. Meadors
Jas. C. Bright	R. M. Harrison, Jr.	H. H. Miller
Corbett Brown	J. Joseph Hettinger	W. H. Miller
Wallace Brown	Dr. A. L. Hill	James B. Milliken
Mrs. Cecil Cantrill	John R. Hobbs	Tyler Munford
Charles Chandler	G. W. Howard	James I. Peters
J. A. Coleman	Ira W. Hulette	M. D. Phelps
D. B. Coughlin	T. M. Johnson	Steve Pieratt
Joel T. Crenshaw	F. P. Kessee	Kleber F. Price
G. Cunningham	J. H. King	Waylon Rayburn
Harry Davis	Leo King	W. P. Renfro
R. A. Demunbrun	John Kirtley	L. D. Sandlin
S. S. Dickson	W. L. Knuckles, Jr.	Avery Sartin
George Dunlap	Glenn W. Lane	Mrs. M. B. Scott

Harry Sparks	Starling B. Tracy	J. B. Wicker
Elmore J. Thomas	Henry T. Ward	B. M. Williams
Harry B. Thornton	Robert E. Webb	—71

There voted in the negative—

Kelly J. Francis —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 141. An Act for the protection of ruffed grouse and providing penalties for the violation of this Act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That no person shall in the State of Kentucky shoot, kill, injure or have in possession dead or alive any ruffed grouse, commonly known as native pheasant.

§ 2. Any person who shall shoot, kill, injure or have in his possession, dead or alive, any ruffed grouse, commonly known as native pheasant, shall upon conviction be fined not less than fifteen dollars ($15.00), nor more than one hundred dollars ($100.00) for each offense.

§ 3. All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Frank Harris	Robert A. Persky
Carroll D. Asbury	R. M. Harrison, Jr.	James I. Peters
Levi Baker	J. Joseph Hettinger	M. D. Phelps
Harold L. Barnes	Dr. A. L. Hill	Steve Pieratt
Robert E. Beatty	G. W. Howard	Kleber F. Price
Wallace Brown	T. M. Johnson	G. M. Pritchett
Hugh K. Bullitt	F. P. Kessee	Pat Rankin
Mrs. Cecil Cantrill	J. H. King	Waylon Rayburn
Charles Chandler	John Kirtley	W. P. Renfro
J. A. Coleman	Glenn W. Lane	L. D. Sandlin
Sidney J. Collins	Alden L. Love	Avery Sartin
Joel T. Crenshaw	M. T. McCarthy	Jos. W. Schneider
Carroll L. Cropper	George R. McIntosh	Mrs. M. B. Scott
W. J. Curtis	Herschel McKinley	Lafe J. Spencer
R. A. Demunbrun	C. C. McMasters	John W. Taylor
S. S. Dickson	Roy McWaters	Elmore J. Thomas
George Dunlap	C. C. May	Harry B. Thornton
Clarence E. Evans	J. S. Mattingly	J. Sterling Towles
Rudy Ferguson	G. Samuel Milam	Starling B. Tracy
Ralph Gilbert	Clarence Miller	Henry T. Ward
Ferd A. Gnau	H. H. Miller	Robt. E. Webb
J. S. Hall	W. H. Miller	J. B. Wicker
Judson Harmon	James B. Milliken	B. M. Williams

—71

Resolved that the title be as aforesaid.

Mr. Ferguson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 639. An Act to authorize the University of Kentucky, any of the State Teachers' Colleges and other state educational institutions to acquire, by construction or extension, buildings to be used in connection with such institutions and to issue bonds therefor, payable from the revenues of such buildings, and declaring an emergency to exist.

Said bill is as follows, viz.:

WHEREAS, Many of the state educational institutions of Kentucky are without proper and suitable dormitories, health buildings and other physical facilities thus endangering the health, safety, convenience and general welfare of the students thereof; and,

WHEREAS, The existing condition of financial distress makes it impossible for them to obtain such needed physical facilities without supplementary financial assistance; and,

WHEREAS, The Federal Government through the Public Works Administration of the National Industrial Recovery Act is offering financial aid to the extent of a direct gift of 30 per cent of the cost of labor and materials and a loan of the remaining 70 per cent of the cost of labor and materials, at 4 per cent interest, necessary for the erection of needed public buildings for the use and benefit of society; and,

WHEREAS, There are no statutory provisions whereby boards of regents and other governing bodies of such state educational institutions may qualify for financial assistance under regulations for such grants and aids as is prescribed by the Federal Emergency Administration of Public Works under the National Industrial Recovery Act; and,

WHEREAS, The construction of adequate buildings for the students of the various state educational institutions is a part

of the National Recovery Program and is to provide for the immediate employment of labor and the improvement of the school property of the State of Kentucky: Now THEREFORE,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That for the purpose of providing buildings to be used in connection with the University of Kentucky, or any of the State Teachers' Colleges, or other state educational institutions, the Board of Trustees of said University or the Board of Regents of any said state teachers' colleges or governing body of such other state educational institutions, are hereby authorized and empowered to erect, with necessary appurtenances or extensions thereto, buildings to be used in connection with such institutions under the provisions of this act, for the purpose of supplying such institution with the necessary buildings for educational purposes.

§ 2. For the purpose of defraying the cost of acquiring such buildings and appurtenances thereto by construction, any such state educational institution may borrow money from the Public Works Administration or other agency of the Federal Government and issue negotiable bonds, provided no such bonds shall be issued unless and until authorized by a resolution specifying the proposed undertaking, the amount of bonds to be issued and the maximum rate of interest such bonds are to bear, which shall not be more than six per cent (6%) per annum. Such resolution shall further provide that the proposed building or buildings and appurtenances which are to be acquired, are to be constructed pursuant to the provisions of this act.

§ 3. All bonds under the provisions of this act may be issued bearing interest at a rate not exceeding six per cent per annum, payable semi-annually, and shall be executed in such manner and be payable at such times, not exceeding forty years from the date thereof, and at such place or places as

such board of trustees, board of regents or governing body of such state educational institutions shall determine.

§ 4. Any and all such bonds shall have and are hereby declared to have in the hands of *bona fide* holders all of the qualities of negotiable instruments under the law merchant, and shall not be subject to taxation. In case any of the officers whose signatures or counter signatures appearing on the bonds or coupons shall cease to be such officers before the delivery of such bonds, such signatures or counter signatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until such delivery. Such bonds shall be sold in such manner and upon such terms as the board of trustees, board of regents or governing body of such state educational institution shall deem for the best interest of such institution. Such bonds when issued shall be payable from the revenue funds derived from such buildings as provided in sections eight and nine hereof and shall not constitute an indebtedness of such institution within the meaning of the constitutional provisions or limitations. It shall be plainly stated on the fact of such bonds that the same has been issued under the provisions of this act and that it does not constitute an indebtedness of such institution or the Commonwealth within the meaning of any constitutional provisions or limitations.

§ 5. All moneys received from any bonds issued pursuant hereto shall be applied solely to the establishment or erection of such buildings and necessary appurtenances thereto, provided such moneys may be used also to advance the payment of the interest on bonds during the first three years following the date of such bonds. And there shall be and there is hereby created a statutory mortgage lien upon the buildings and appurtenances so acquired to and in favor of the holders of said bonds and each of them and to and in favor of the holders of the coupons of said bonds.

§ 6. The buildings so acquired and the appurtenances

thereto, shall remain subject to such statutory lien until the payment in full of the principal and interest of the bonds. Any holder of said bonds or of any of the coupons may, either at law or in equity, protect and enforce the statutory mortgage lien hereby conferred and may by suit, action, mandamus or other proceedings, enforce and compel performance of all duties required by this act, including the making and collecting of sufficient rates, the segregation of the income and revenue, and the application thereof.

§ 7. If there be any default in the payment of the principal or interest of any of said bnods, any court having jurisdiction of the action may appoint a receiver to administer said buildings on behalf of the institution, with power to charge rentals sufficient to provide for the payment of any bonds or obligations outstanding against said buildings and for the payment of the operating expenses and apply the income and revenues in conformity with this act, and the resolutions referred to in sections eight and nine thereof.

§ 8. At or before the issuance of such bonds the board of trustees, board of regents or governing body of such educational institutions shall, by resolution, set aside and pledge the income and revenues of such buildings or building into a separate and special fund to be used and applied in payment of the cost thereof and in the maintenance thereof including a sufficient sum to pay the cost of insuring such building or buildings against loss or damage by fire and windstorm or other calamity in such sum as may be acceptable to the purchaser or purchasers of such bonds.

Said resolutions shall fix the rents, tolls, fees, and other charges to be imposed in connection with any such building or buildings or services to be thereby furnished, and shall provide that such board of trustees, board of regents or governing body of such educational institution shall pay into such separate and special fund the reasonable cost and value of any service rendered to such educational institution by such build-

ing or buildings furnishing classrooms, laboratory facilities, assembly halls or any such other educational families necessary in the operation of such educational institutions, and that such reasonable cost and value of any such service rendered shall be paid, into such fund monthly as the service accrues, from the current funds of such educational institution. Said resolution shall definitely fix and determine the amount of revenues which shall be necessary and be so set apart and applied to the payment of the principal and interest of the bonds, and the balance of such income and revenues shall be set aside as a proper maintenance fund, including a sufficient sum to pay the cost of such insurances as hereinabove provided. The rents, tolls, fees and other charges for the services from such building or buildings, shall be sufficient to provide for the payment of interest upon all bonds and to create a sinking fund to pay the principal thereof as and when the same becomes due and to provide for the operation and maintenance thereof. Such rents, tolls, fees and other charges shall be revised from time to time so as to produce these amounts.

§ 9. If any surplus shall be accumulated in the maintenance fund, which shall be equal to the cost of maintaining such building during the remaining portion of the calendar, or fiscal year, as may be provided by the resolution hereinbefore required and the cost of maintaining and operating such building the succeeding like calendar or fiscal year, any excess over such amount may be transferred at any time by the governing body to the sinking fund or may be used for any improvements, extensions or additions to such building.

§ 10. Such institutions may issue refunding bonds for the purpose of providing funds for the payment of any outstanding bonds, in accordance with the procedure prescribed by this act. Such new bonds shall be secured to the same extent and shall have the same source of payment as the bonds which shall have been thereby refunded.

§ 11. Should the board of trustees, board of regents or other governing body of state educational institutions find that the bonds authorized will be insufficient to accomplish the purpose desired, additional bonds may be authorized and issued subject to the procedure as herein described and required.

§ 12. Such institution in acquiring any building under the provisions of this act, may provide by resolution any such provision and stipulations for the administration of the buildings and the income and for the security of the bond holders as the board of trustees, board of regents or other governing body of state educational institutions may deem necessary; Provided that the sinking fund, which shall be provided by resolution as hereinbefore required, shall be deposited in a depository selected by such board of trustees, board of regents or other governing body of state educational institutions, which deposit, where practicable, may be continuously secured by a pledge to the institution of direct obligations of the United States of America, exclusive of accrued interest, at all times at least equal to the balance on deposit in such account or in such other manner acceptable to the purchaser or holders of such bonds. Such securities shall either be deposited with the institution or be held by a trustee or agent satisfactory to the board of trustees, board of regents or other governing body of state educational institutions. Such sinking fund may be invested in direct obligations of the United States of America.

§ 13. Such bonds shall be obligations only of such board of trustees, board of regents or other governing body of state educational institutions, payable from the revenues of such buildings as hereinabove provided, and in no event shall they be considered a debt for which the full faith and credit of the Commonwealth of Kentucky is pledged. Any such resolution or resolutions shall constitute a contract between the board of trustees, board of regents or other governing

body of state educational institutions with the holder of any bond or bonds, coupon or coupons, and shall be binding in all respects upon such governing bodies of such institutions and their successors, which contract may be enforced in the manner and form as hereinabove provided.

§ 14. This act shall be deemed to create an additional and alternate method for the acquisition of buildings to be used in connection with the University of Kentucky or any of the state teachers' colleges or any of the other state educational institutions and shall not be deemed to include, alter, amend or repeal any other statute. No proceeding shall be required for the acquisition of any such buildings hereunder, or the issuance of bonds hereunder except as prescribed by this act, any provision of the general laws of the Commonwealth of Kentucky notwithstanding.

§ 15. The sections and provisions of this act are separable and are not matters mutually essential one to the other, and it is the intention to confer the whole or any part of the powers herein provided for, and if any of the sections or provisions or parts thereof are for any reason illegal, it is the intention that the remaining sections and provisions or parts thereof shall remain in full force and effect.

§ 16. Whereas, many of the state educational institutions to which this act is applicable are now without adequate buildings, thus endangering the health, safety, convenience and general welfare of the students thereof, now, therefore, an emergency is hereby declared to exist, and this act shall take effect immediately upon its passage and approval.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill

in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Kelly J. Francis	H. H. Miller
Carroll D. Asbury	W. J. Garnett	W. H. Miller
Harold L. Barnes	Ralph Gilbert	Tyler Munford
Marshall Barnes	Ferd A. Gnau	Rodes K. Myers
Robert E. Beatty	C. Gottschalk	Steve Pieratt
B. F. Bedford	Judson Harmon	Kleber F. Price
Wm. B. Belknap	J. Joseph Hettinger	G. M. Pritchett
Reuben J. Boling	John R. Hobbs	Pat Rankin
Wallace Brown	G. W. Howard	Waylon Rayburn
Mrs. Cecil Cantrill	Ira W. Hulette	W. P. Renfro
J. A. Coleman	T. M. Johnson	Jos. W. Schneider
D. B. Coughlin	Leo King	Mrs. M. B. Scott
Joel T. Crenshaw	Glenn W. Lane	Lyle C. Tackett
Carroll L. Cropper	Alden L. Love	J. Sterling Towles
W. J. Curtis	M. T. McCarthy	Henry T. Ward
Harry Davis	George R. McIntosh	Robert E. Webb
R. A. Demunbrun	Herschel McKinley	J. B. Wicker
Rudy Ferguson	C. C. May	B. M. Williams
J. B. Floyd	G. Samuel Milam	—54

Those who voted in the negative were—

O. J. Bowen	Frank Harris	M. D. Phelps
Corbett Brown	R. M. Harrison, Jr.	L. D. Sandlin
Charles Chandler	Roy McWaters	Harry Sparks
S. S. Dickson	J. S. Mattingly	Elmore J. Thomas
George Dunlap	James B. Milliken	Harry B. Thornton
Clarence E. Evans	Richard H. Nufer	Starling B. Tracy
J. S. Hall	James I. Peters	—20

Resolved that the title thereof be as aforesaid.

Mr. Rayburn moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 260. An Act to repeal, amend, and re-enact Chapter 145 of the Acts of the General Assembly of 1932 redistricting the State of Kentucky into nine Congressional Districts and being Chapter 23a, Section 418a, Supplement 1932, Baldwin's Kentucky Statutes, transferring the County of Shelby from the Fifth District as provided therein to the Fourth District.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Chapter 145 of the Acts of the General Assembly of 1932, being Chapter 23a, Section 418a, Baldwin's Kentucky Statutes, Supplement 1932, be and the same is hereby repealed, amended, and re-enacted, so as to transfer the County of Shelby from the Fifth District to the Fourth District as provided therein so that when said act is thus amended and re-enacted, it will read as follows: That the Commonwealth of Kentucky be and the same is now hereby divided into nine Congressional districts as follows:

The First Congressional District shall be composed of the counties of Ballard, Caldwell, Calloway, Carlisle, Lyon, Crittenden, Fulton, Graves, Hickman, Livingston, Marshall, McCracken, Trigg, and Christian.

The Second Congressional District shall be composed of the counties of Daviess, Henderson, Hopkins, McLean, Union, Webster, Ohio, Butler, Edmonson, Warren, Simpson, Logan, Todd, Muhlenberg, and Allen.

The Fourth Congressional District shall be composed of the counties of Bullitt, Green, Hardin, Grayson, Breckinridge,

Hart, Larue, Marion, Meade, Nelson, Taylor, Washington, Spencer, Anderson, Adair, Metcalfe, Barren, Hancock and Shelby.

The Third Congressional District shall be composed of the county of Jefferson.

The Fifth Congressional District shall be composed of the counties of Boone, Campbell, Carroll, Gallatin, Grant, Kenton, Pendleton, Trimble, and Oldham.

The Sixth Congressional District shall be composed of the counties of Bourbon, Clark, Estill, Fayette, Franklin, Henry, Lee, Owen, Scott, Woodford, Jessamine, Madison, Garrard, Mercer, Lincoln, Boyle, and Casey.

The Seventh District shall be composed of the counties of Floyd, Knott, Letcher, Martin, Magoffin, Johnson, Pike, and Perry.

The Eighth District shall be composed of the counties of Bracken, Bath, Boyd, Breathitt, Carter, Elliott, Fleming, Lawrence, Greenup, Harrison, Lewis, Mason, Menifee, Morgan, Nicholas, Powell, Robertson, Rowan, Wolfe, and Montgomery.

The Ninth District shall be composed of the counties of Harlan, Leslie, Jackson, Owsley, Clay, Knox, Whitley, Bell, McCreary, Wayne, Russell, Clinton, Cumberland, Monroe, Laurel, Rockcastle, and Pulaski.

All laws and parts of laws in conflict herewith, are hereby repealed.

Mr. Gilbert moved the Previous Question.

Thereupon the Speaker announced, "Shall the Main Question be now put?"

Which was decided in the affirmative.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Robert E. Beatty	C. Gottschalk	Rodes K. Myers
B. F. Bedford	J. Joseph Hettinger	James I. Peters
Wm. B. Belknap	Dr. A. L. Hill	Steve Pieratt
Hugh K. Bullitt	John R. Hobbs	Kleber F. Price
J. A. Coleman	G. W. Howard	Pat Rankin
Sidney J. Collins	Ira W. Hulette	Waylon Rayburn
D. B. Coughlin	T. M. Johnson	W. P. Renfro
Joel T. Crenshaw	F. P. Kessee	Jos. W. Schneider
Carroll L. Cropper	Leo King	Mrs. M. B. Scott
S. S. Dickson	John Kirtley	Harry Sparks
Clarence E. Evans	Glenn W. Lane	Lafe J. Spencer
Rudy Ferguson	M. T. McCarthy	Lyle C. Tackett
T. P. Fitzpatrick	Roy McWaters	J. Sterling Towles
Kelly J. Francis	C. C. May	Starling B. Tracy
L. J. Gammon	J. S. Mattingly	Henry T. Ward
W. J. Garnett	G. Samuel Milam	Robert E. Webb
Ralph Gilbert	James B. Milliken	J. B. Wicker
Ferd A. Gnau	Tyler Munford	—54

Those who voted in the negative were—

Henry H. Allen	J. S. Hall	H. H. Miller
Levi Baker	W. Yancey Handy	W. H. Miller
Harold L. Barnes	Judson Harmon	Robert A. Persky
Reuben J. Boling	Frank Harris	M. D. Phelps
Corbett Brown	R. M. Harrison, Jr.	L. D. Sandlin
Wallace Brown	J. H. King	Avery Sartin
Charles Chandler	George R. McIntosh	John W. Taylor
R. A. Demunbrun	C. C. McMasters	Elmore J. Thomas
George Dunlap	Clarence Miller	Harry B. Thornton
		—26

Resolved that the title thereof be as aforesaid.

Mr. Gilbert moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. Res. 43. Resolution authorizing Charles Grow to sue the Commonwealth of Kentucky.

Said resolution is as follows, viz.:

WHEREAS, in the year 1932, Charles Grow, while an inmate in the State Penitentiary at Frankfort, Kentucky, was ordered and directed to go to the Central State Hospital at Lakeland, Kentucky, for the purpose of making certain repairs at said hospital; and, whereas, while acting under the direction of the agents, servants and employes of the State of Kentucky at said hospital, said Grow was injured about the head, body and limbs; and, whereas, if such damage and injuries were sustained through the negligence of the Commonwealth of Kentucky, the Central State Hospital at Lakeland, the State Prison at Frankfort, or any agents, servants or employes of said Commonwealth of Kentucky at said institution, a reasonable amount should be paid the said Charles Grow by the Commonwealth of Kentucky: Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the said Charles Grow be, and he is hereby authorized and permitted to sue the Commonwealth of Kentucky in the Franklin Circuit Court for such damages as he may have sustained, if any, by reason of injury to his head, body and limbs, caused by the negligence of the Central State Hospital

at Lakeland, or the State Prison at Frankfort, their agents, servants or employes; and in the event any judgment is recovered by the said Grow in said suit, same shall be paid by the Treasurer of the Commonwealth of Kentucky on warrants from the Auditor to be paid out of the general fund, and both the said Grow and the Commonwealth of Kentucky shall have the right to appeal said case.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Ferd A. Gnau	C. C. McMasters
Levi Baker	C. Gottschalk	Roy McWaters
Marshall Barnes	J. S. Hall	C. C. May
Reuben J. Boling	Frank Harris	J. S. Mattingly
O. J. Bowen	R. M. Harrison, Jr.	H. H. Miller
Corbett Brown	J. Joseph Hettinger	James B. Milliken
Wallace Brown	Dr. A. L. Hill	Tyler Munford
Mrs. Cecil Cantrill	John R. Hobbs	Robert A. Persky
Charles Chandler	G. W. Howard	James I. Peters
J. A. Coleman	Ira W. Hulette	Kleber F. Price
Sidney J. Collins	T. M. Johnson	G. M. Pritchett
D. B. Coughlin	F. P. Kessee	Waylon Rayburn
Joel T. Crenshaw	J. H. King	W. P. Renfro
Harry Davis	Leo King	L. D. Sandlin
R. A. Demunbrun	Glenn W. Lane	Avery Sartin
George Dunlap	Alden L. Love	Mrs. M. B. Scott
Clarence E. Evans	M. T. McCarthy	Harry Sparks
Ralph Gilbert	George R. McIntosh	Lafe J. Spencer

Elmore J. Thomas Henry T. Ward J. B. Wicker
Starling B. Tracy Robert E. Webb —59

Those who voted in the negative were—

Harold L. Barnes Steve Pieratt Pat Rankin
Kelly J. Francis —4

Resolved that the title thereof be as aforesaid.

Mr. Persky moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. Res. 25. Resolution authorizing Earnest Miles and Mayme Miles to sue the Commonwealth of Kentucky.

Said resolution is as follows, viz.:

WHEREAS, on November 10, 1930, at or about the hour of 9:15 A. M., about one-fourth of a mile east of Ghent, in Carroll County, Kentucky, on the public road between Ghent and Warsaw, in a collision between a truck owned by the State of Kentucky, then being operated, managed, and controlled and used by an employee of the State of Kentucky, in repairing the state highway known as State Highway No. 42, and an automobile owned and operated by Earnest Miles, Earnest Miles and Mayme Miles were severely and critically injured and the automobile of said Earnest Miles was destroyed.

Now, in order to determine by judicial action the question of negligence causing said injuries aforesaid:

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Earnest Miles in his own right and name, and Mayme Miles in her own right and name, be and they are hereby empowered and authorized to file and prosecute appropriate actions severally and respectively against the Commonwealth of Kentucky, for the purpose of determining the liability of the Commonwealth of Kentucky, for such injuries, if any there be.

§ 2. Such actions may be brought in any Circuit Court of the Commonwealth of Kentucky, which may have jurisdiction of the subject matter, or may be joined with any action or actions pending, wherein Circuit Courts have competent jurisdiction of the subject matter and parties.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Harry Davis	J. Joseph Hettinger
Levi Baker	R. A. Demunbrun	Dr. A. L. Hill
Marshall Barnes	George Dunlap	John R. Hobbs
Wm. B. Belknap	Rudy Ferguson	G. W. Howard
Reuben J. Boling	Kelly J. Francis	Ira W. Hulette
O. J. Bowen	L. J. Gammon	T. M. Johnson
Corbett Brown	W. J. Garnett	F. P. Kessee
Wallace Brown	Ralph Gilbert	Leo King
Mrs. Cecil Cantrill	Ferd A. Gnau	Glenn W. Lane
Charles Chandler	C. Gottschalk	Alden L. Love
J. A. Coleman	J. S. Hall	M. T. McCarthy
Sidney J. Collins	Frank Harris	George R. McIntosh

C. C. McMasters	G. M. Pritchett	Lafe J. Spencer
Roy McWaters	Pat Rankin	Elmore J. Thomas
C. C. May	Waylon Rayburn	Harry B. Thornton
J. S. Mattingly	W. P. Renfro	J. Sterling Towles
H. H. Miller	L. D. Sandlin	Starling B. Tracy
W. H. Miller	Avery Sartin	Henry T. Ward
James I. Peters	Mrs. M. B. Scott	Robert E. Webb
Kleber F. Price	Harry Sparks	J. B. Wicker

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Resolved that the title thereof be as aforesaid.

Mr. Spencer moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred as follows, viz.:

By Dr. Hill:

H. B. 826. An Act entitled an Act to amend and re-enact Section 4019 of Carroll's Kentucky Statutes, Supplement to 1933, relating to distribution of revenue.

By Mr. McCarthy:

H. B. 827. An Act relating to the Primary System of Roads and Highways.

To Committee on Rules.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 322. An Act to appropriate eight hundred dollars

($800.00) each per annum for the care of each of the five living Confederate Veterans confined in the Confederate Home at Pewee Valley, Kentucky, from the State Treasury; providing for a board to administer same; authorizing the board to contract for the care and maintenance of said Confederate Veterans.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That whereas there are now living five Confederate Veterans who are inmates of the Confederate Home at Pewee Valley, Kentucky, and in order to care for and maintain each of the five living Confederate Veterans, there is hereby appropriated from the State Treasury out of funds not otherwise appropriated the sum of eight hundred dollars ($800.00) per annum for the care and maintenance of each of said living Confederate Veterans. In the event of the death of any one or more of said five living Confederate Veterans during a fiscal year, the remaining unused portion of the said eight hundred dollars shall not be drawn from the State Treasury; and upon the death of all five of said living Confederate Veterans who are now confined at the Confederate Home, this appropriation shall cease.

§2. There is hereby created a Board composed of three persons who are members of the Daughters of the Confederacy who shall be appointed for a term of four years by the Governor of the Commonwealth and who shall serve without compensation and whose duty it shall be to supervise the care, treatment and maintenance of the five living Confederate Veterans now living at the Confederate Home, and to make and enter into contracts with proper parties for the care and treatment of said Confederate Veterans. Said contracts for such purposes shall be made with the approval of the State Inspector and Examiner. It shall be the duty of said Board

to present itemized claims for the expenditure of said appropriation to the Auditor of Public Accounts showing the amount of the claim, to whom payable and the name of the Confederate Veteran for whom the expenditure is made, and when audited by the Auditor, he shall draw his warrant upon the State Treasury therefor.

§ 3. All acts or parts of acts in conflict herewith are hereby repealed.

§ 4. Whereas, it is the purpose and intention of the Commonwealth of Kentucky to sell, dispose of and convey the Confederate Home at Pewee Valley, Kentucky, and the equipment connected therewith, and when done the five living Confederate Veterans who are confined at said Home will be without care, attention or comfort, an emergency is declared to exist and this act shall become effective from and after its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wallace Brown	R. A. Demunbrun
Levi Baker	Mrs. Cecil Cantrill	George Dunlap
Harold L. Barnes	Charles Chandler	Kelly J. Francis
Marshall Barnes	J. A. Coleman	Ralph Gilbert
Robert E. Beatty	Sidney J. Collins	Ferd A. Gnau
Wm. B. Belknap	D. B. Coughlin	C. Gottschalk
Reuben J. Boling	Joel T. Crenshaw	J. Joseph Hettinger
O. J. Bowen	Harry Davis	Dr. A. L. Hill

John R. Hobbs	G. Samuel Milam	Mrs. M. B. Scott
G. W. Howard	H. H. Miller	Harry Sparks
Ira W. Hulette	W. H. Miller	Lafe J. Spencer
G. C. Johnson	Rodes K. Myers	Lyle C. Tackett
T. M. Johnson	James I. Peters	John W. Taylor
Leo King	Steve Pieratt	Elmore J. Thomas
Glenn W. Lane	Kleber F. Price	Harry B. Thornton
Alden L. Love	G. M. Pritchett	J. Sterling Towles
M. T. McCarthy	Pat Rankin	Starling B. Tracy
George R. McIntosh	Waylon Rayburn	Robert E. Webb
Herschel McKinley	W. P. Renfro	J. B. Wicker
C. C. May	L. D. Sandlin	—60

Resolved that the title thereof be as aforesaid.

Mr. Belknap moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 323. An Act to appropriate one hundred dollars per annum from the State Treasury for the care and upkeep of the Confederate Cemetery at Pewee Valley, Kentucky, and to provide for its expenditure.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That there is hereby appropriated from the State Treasury the sum of one hundred dollars ($100.00) per annum out of funds not otherwise appropriated for the care and upkeep of the Confederate Cemetery at Pewee Valley, Kentucky.

§ 2. That said sum aforsaid shall be expended at the

direction of a board composed of three members of the Daughters of the Confederacy, who shall be appointed for a four year term by the Governor of the Commonwealth.

§ 3. All bills when created by said board shall be authorized and signed by the members of said board, who shall present same to the Auditor of Public Accounts, and when audited and found correct, the said Auditor shall draw his warrant upon the State Treasurer in payment of said claim.

§ 4. The Auditor of Public Accounts shall only draw his warrant and the Treasurer his check for payment of such claim against and from said sum when same is set apart by the State Budget Act, and not until so done.

§ 5. All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	J. A. Coleman	Rudy Ferguson
Harold L. Barnes	Sidney J. Collins	J. B. Floyd
Robert E. Beatty	D. B. Coughlin	W. J. Garnett
B. F. Bedford	Joel T. Crenshaw	Ralph Gilbert
Wm. B. Belknap	G. Cunningham	J. S. Hall
Reuben J. Boling	W. J. Curtis	J. Joseph Hettinger
O. J. Bowen	Harry Davis	Dr. A. L. Hill
Wallace Brown	R. A. Demunbrun	John R. Hobbs
Mrs. Cecil Cantrill	George Dunlap	G. W. Howard
Charles Chandler	Clarence E. Evans	Ira W. Hulette

T. M. Johnson	James B. Milliken	Harry Sparks
John Kirtley	Tyler Munford	Lafe J. Spencer
Glenn W. Lane	James I. Peters	Elmore J. Thomas
Alden L. Love	Steve Pieratt	Harry B. Thornton
M. T. McCarthy	Pat Rankin	Starling B. Tracy
George R. McIntosh	Waylon Rayburn	Henry T. Ward
Herschel McKinley	W. P. Renfro	Robert E. Webb
C. C. May	L. D. Sandlin	J. B. Wicker
G. Samuel Milam	Avery Sartin	B. M. Williams
H. H. Miller	Jos. W. Schneider	
W. H. Miller	Mrs. M. B. Scott	—61

Resolved that the title thereof be as aforesaid.

Mr. Belknap moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 560. An Act entitled An Act to require the State Inspector and Examiner to inspect and examine into the management, conduct and condition of all counties of this Commonwealth.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Inspector and Examiner be and he is hereby authorized and required once in each year to inspect and examine into the books, accounts and papers of all county officers receiving and disbursing public moneys belonging to the counties, and he shall at all times have access to the papers, books and records of any public officer of such

counties receiving and disbursing public moneys of the counties.

§ 2. If any such officer shall directly or indirectly prevent or attempt to prevent or obstruct an examination into his official conduct, or the conduct or condition of the office in his charge, or with which he is connected, by the State Inspector and Examiner, as herein provided, he shall be shall be deemed guilty of a high misdemeanor, and upon conviction or indictment in the Franklin Circuit Court, be fined Five Hundred Dollars ($500.00) and removed by the Governor from office.

§ 3. If any person shall prevent or attempt to prevent or obstruct any investigation provided for herein by said Inspector and Examiner, he shall be deemed guilty of a misdemeanor and, upon conviction, be fined One Thousand Dollars ($1,000.00).

§ 4. The State Inspector and Examiner shall, within a reasonable time after the examination of each county, make a written report to the Governor of his work in each investigation, and to the County Judge of the county which he has examined, calling attention in specific terms to any mismanagement, misconduct or misapplication or extravagant use of money received and disbursed by any officer of the county so examined.

Mr. Rankin offered the following amendments to said bill, viz.:

Amend H. B. 560 by adding after the word "misapplication" in line 5, page 2, Section 4 of the printed bill the following: "or illegal appropriation".

Amend H. B. 560 by adding after the word "and" line 6, page 2 of the printed bill, the word "or" so that the phrase will read: "received and/or disbursed".

Amend H. B. 560 by adding after line 6, Section 1, page 1 of the printed bill the following:

"Said inspection shall be made at time the Inspector and Examiner makes the inspection for the benefit of the State and the County shall bear its proportionate part of the actual expense of the inspection."

Amend H. B. 560 by adding the word "or" after the word "and" wherever the words "receiving and disbursing" appear, so that at each and every place the phrase appears it shall read "receiving and/or disbursing."

Amend H. B. 560 by striking therefrom all language in lines 5, 6 and 7, of Section 2, on page 1 of the printed bill, and inserting in lieu thereof the following language: "he shall be deemed guilty of a high misdemeanor, and upon indictment and conviction in the Franklin Circuit Court shall be fined Five Hundred Dollars."

Said amendments were each and severally agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Levi Baker	B. F. Bedford	Reuben J. Boling
Marshall Barnes	Wm. B. Belknap	O. J. Bowen

Wallace Brown	J. Joseph Hettinger	Tyler Munford
Mrs. Cecil Cantrill	Dr. A. L. Hill	Steve Pieratt
Charles Chandler	G. W. Howard	G. M. Pritchett
J. A. Coleman	Ira W. Hulette	Pat Rankin
Sidney J. Collins	Leo King	W. P. Renfro
D. B. Coughlin	John Kirtley	L. D. Sandlin
Joel T. Crenshaw	Glenn W. Lane	Jos. W. Schneider
W. J. Curtis	Alden L. Love	Mrs. M. B. Scott
Harry Davis	Herschel McKinley	Harry Sparks
R. A. Demunbrun	C. C. McMasters	Lafe J. Spencer
George Dunlap	Roy McWaters	John W. Taylor
Kelly J. Francis	C. C. May	Starling B. Tracy
W. J. Garnett	J. S. Mattingly	Henry T. Ward
Ralph Gilbert	H. H. Miller	Robert E. Webb
J. S. Hall	W. H. Miller	J. B. Wicker
Frank Harris	James B. Milliken	B. M. Williams

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Those who voted in the negative were—

Henry H. Allen	Rudy Ferguson	Avery Sartin
Harold L. Barnes	John R. Hobbs	
Corbett Brown	M. T. McCarthy	

—7

Resolved that the title thereof be as aforesaid.

Mr. Rankin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration a resolution entitled:

H. Res. 30. Resolution authorizing S. M. Green to sue the Commonwealth of Kentucky.

Which was reported to this House from the Senate on

this morning, with an amendment thereto as offered by the Senate.

(For resolution see House Journal of February 7.)

Said amendment, as offered by the Senate, is as follows, viz.:

Amend H. Res. 30 in Senate by adding at the end thereof the following:

"The recovery herein shall be limited to and not exceed $6,000.00."

Said amendment was then concurred in.

Said resolution was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Carroll D. Asbury	George Dunlap	Herschel McKinley
Harold L. Barnes	Rudy Ferguson	C. C. McMasters
B. F. Bedford	Kelly J. Francis	Roy McWaters
Wm. B. Belknap	W. J. Garnett	C. C. May
Reuben J. Boling	Frank Harris	J. S. Mattingly
O. J. Bowen	J. Joseph Hettinger	H. H. Miller
Corbett Brown	Dr. A. L. Hill	W. H. Miller
Wallace Brown	John R. Hobbs	James B. Milliken
Mrs. Cecil Cantrill	G. W. Howard	Tyler Munford
Charles Chandler	Ira W. Hulette	Rodes K. Myers
J. A. Coleman	T. M. Johnson	G. M. Pritchett
Joel T. Crenshaw	J. H. King	W. P. Renfro
G. Cunningham	Leo King	L. D. Sandlin
W. J. Curtis	Glenn W. Lane	Avery Sartin
Harry Davis	Alden L. Love	Mrs. M. B. Scott
R. A. Demunbrun	M. T. McCarthy	Lyle C. Tackett

Starling B. Tracy Robert E. Webb B. M. Williams
Henry T. Ward —52

Mr. Milliken moved that the vote by which said resolution was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said resolution be delivered to the Enrolling Clerk of this House.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 556. An Act to repeal Paragraph 20, of Chapter 106, of the Acts of 1932, being an Act to further regulate motor trucks, semi-trailer trucks, semi-trailers and trailers, and enlarge the powers of the State Highway Commission, and cities and incorporated towns in respect thereof; to provide for the enforcement of the Act and penalties for the violations thereof; said paragraph now being Section 2739g-99, of Carroll's Kentucky Statutes, Baldwin's Revision of the Supplement to 1933.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Paragraph 20 of Chapter 106 of the Acts of 1932, being an Act to further regulate motor trucks, semi-trailer trucks, semi-trailers and trailers, and enlarge the powers of the State Highway Commission, and cities and incorporated towns in respect thereof; to provide for the enforcement of the Act and penalties for the violations thereof; said paragraph now being Section 2739g-99, of Carroll's Kentucky

Statutes, Baldwin's Revision of the Supplement to 1933, be and the same is hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Rudy Ferguson	Roy McWaters
Levi Baker	Kelly J. Francis	C. C. May
Harold L. Barnes	W. J. Garnett	J. S. Mattingly
Marshall Barnes	Ralph Gilbert	H. H. Miller
Robert E. Beatty	Ferd A. Gnau	W. H. Miller
B. F. Bedford	J. S. Hall	James B. Milliken
Wm. B. Belknap	W. Yancey Handy	Tyler Munford
Reuben J. Boling	Frank Harris	Rodes K. Myers
O. J. Bowen	J. Joseph Hettinger	Robert A. Persky
Corbett Brown	Dr. A. L. Hill	Steve Pieratt
Wallace Brown	John R. Hobbs	G. M. Pritchett
Mrs. Cecil Cantrill	G. W. Howard	Pat Rankin
Charles Chandler	Ira W. Hulette	Waylon Rayburn
J. A. Coleman	T. M. Johnson	W. P. Renfro
Sidney J. Collins	J. H. King	L. D. Sandlin
D. B. Coughlin	Leo King	Avery Sartin
Joel T. Crenshaw	John Kirtley	Jos. W. Schneider
Carroll L. Cropper	Glenn W. Lane	Mrs. M. B. Scott
W. J. Curtis	Alden L. Love	Harry Sparks
Harry Davis	M. T. McCarthy	Lafe J. Spencer
R. A. Demunbrun	George R. McIntosh	John W. Taylor
George Dunlap	Herschel McKinley	J. Sterling Towles
Clarence E. Evans	C. C. McMasters	Starling B. Tracy

Henry T. Ward J. B. Wicker B. M. Williams
Robert E. Webb —73

Resolved that the title thereof be as aforesaid.

Mr. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 385. An Act abolishing the jury fund and the office of trustee of the jury fund; providing for the payment of jurors by the clerks of the circuit courts; providing for imprest funds for such purposes; providing for the collection of fines, forfeitures, judgments, and costs by the county treasurers; stipulating the manner in which money advanced for imprest funds shall be accounted for by the clerks of circuit courts; and repealing Sections 2275, 2278, 2279, 2282 to 2290 inclusive, and 4242, of the Kentucky Statutes, Carroll's 1930 Edition.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The jury fund and the office of trustee of the jury fund in each county of the state are hereby abolished. From and after the effective date of this act, all moneys heretofore required to be paid to the trustee, shall be paid into the county treasury, shall accrue to the general fund of the state and shall be accounted for to the state and transferred to the state treasury in the manner provided by law for state tax moneys. On or before such date, the trustee of the jury fund in each county shall make a final accounting of all moneys that

shall have come into his possession, in the manner heretofore provided, and shall pay into the county treasury any balance of funds in his custody. The county treasurer in each county thereafter shall attend to the collection of all fines and forfeitures with which the trustee of the jury fund has heretofore been charged and it shall be the duty of the clerk of each court having jurisdiction to impose fines in favor of the Commonwealth, at the close of each term thereof, to make and report to the county treasurer a full list of all fines and forfeitures imposed in said court at such term.

§ 2. From and after the effective date of this act, the clerk of each circuit court shall pay to each juror in proper person the full compensation allowed him by law under appropriations provided by the General Assembly and in accordance with such procedure governing expenditures from appropriations as may be provided by law. He shall take a proper receipt for each payment made by him showing the date on which payment is made. For the purpose of providing for such payments the comptroller (auditor of public accounts) shall advance to each clerk of the circuit court in each county such amount as he may deem necessary to provide an imprest fund sufficient for the necessary payments for a period of ten days.

§ 3. Each clerk of the circuit court shall at all times be liable on his official bond to account for the full amount so advanced to him. On or before the tenth day of each month, and more frequently if reimbursement of his imprest fund becomes necessary, each clerk of the circuit court shall file a statement with the comptroller (auditor of public accounts) in such form as the comptroller (auditor of public accounts) may prescribe showing the amounts disbursed since the last preceding report, accompanied by a proper receipt for each amount disbursed, signed by the person to whom it was paid and showing the date of payment and the days of service for which payment was made, and such other information as the comptroller (auditor of public accounts) may prescribe.

§ 4. Sections 2275, 2278, 2279 to 2290 inclusive, and 4242 of the Kentucky Statutes, Carroll's 1930 Edition, and all other laws and parts of laws in conflict with the provisions of this act, are hereby repealed.

§ 5. This act shall take effect on the first day of July, 1934.

Mr. Myers offered the following amendment to said bill, viz.:

Amend H. B. 385, page 2, Section 2, line 11 of the printed bill, by adding after the word "days" the following: "For additional duties required of the Circuit Court Clerks under the provisions of this Act, for which the trustees of the jury fund are now receiving three percent (3%), that the said Circuit Court Clerks shall be allowed for the same duties one and one-half percent (1½%), of the funds so received and disbursed by the said Clerk."

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Costitution, were as follows, viz.:

Those who voted in the affirmative were—

Harold L. Barnes	Wm. B. Belknap	Wallace Brown
Marshall Barnes	Reuben J. Boling	Mrs. Cecil Cantrill
Robert E. Beatty	O. J. Bowen	Charles Chandler
B. F. Bedford	Corbett Brown	J. A. Coleman

Sidney J. Collins	F. P. Kessee	G. M. Pritchett
D. B. Coughlin	J. H. King	Pat Rankin
Joel T. Crenshaw	Leo King	Waylon Rayburn
G. Cunningham	John Kirtley	W. P. Renfro
W. J. Curtis	Glenn W. Lane	L. D. Sandlin
R. A. Demunbrun	Alden L. Love	Avery Sartin
W. J. Garnett	C. C. McMasters	Mrs. M. B. Scott
Clarence E. Evans	Roy McWaters	Harry Sparks
Rudy Ferguson	C. C. May	Lafe J. Spencer
J. S. Hall	J. S. Mattingly	John W. Taylor
W. Yancey Handy	G. Samuel Milam	J. Sterling Towles
Frank Harris	H. H. Miller	Starling B. Tracy
J. Joseph Hettinger	W. H. Miller	Henry T. Ward
Dr. A. L. Hill	James B. Milliken	Robert E. Webb
John R. Hobbs	Tyler Munford	J. B. Wicker
Ira W. Hulette	Rodes K. Myers	
T. M. Johnson	Steve Pieratt	—61

Those who voted in the negative were—

Henry H. Allen	G. W. Howard	Jos. W. Schneider

—3

Mr. Myers offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 385 by adding and inserting after the "semicolon" after the word "courts" the following: "providing for the compensation of Circuit Court Clerks for the additional duties imposed by this Act."

Said amendment was agreed to.

Resolved that the title thereof be as amended.

My Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Love of the Committee on Enrollment, reported that they had examined and found to be correctly enrolled, bills of the following titles, viz.:

S. B. 155. An Act to provide for regulation of class of securities in which insurance companies may invest securities.

H. B. 541. An Act to repeal law giving Lieutenant Governor to make appointments to commissions and boards in event Governor fails to send appointment to Senate for confirmation, etc.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that said bill which originated in the Senate be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of this House deliver said bill which originated in this House to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said bill duly signed by the President *pro Tem.* of the Senate, into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bill to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Mr. Wallace Brown moved that Master Edward Johnson Mattingly be appointed Honorary Page of this House.

Said motion was agreed to.

Mr. Evans moved that Miss Annie Laura McWaters be appointed Honorary Page of this House.

Said motion was agreed to.

Dr. Hill moved that the House do now recess until seven-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

NIGHT SESSION

The hour of seven-thirty o'clock P. M. having arrived the Speaker resumed the Chair and called the House to order.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. Res. 39. Resolution authorizing Albert Wood, father of Cecil Edward Wood, deceased, to sue the Commonwealth of Kentucky and the Kentucky State Park Commission, or either.

Said resolution is as follows, viz.:

WHEREAS, on the 6th day of July, 1930, Cecil Edward Wood, of Winchester, Clark County, Kentucky, met his death in the lake at Natural Bridge State Park by drowning wherein it is claimed that the said death by drowning resulted from and was caused by the carelessness and negligence of the Commonwealth of Kentucky and the Kentucky State Park

Commission, either or both, and their agents and employees, in the maintenance and operation of the aforesaid state park, therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

Albert Wood, father of the deceased Cecil Edward Wood, be, and he is hereby authorized and permitted to sue the Commonwealth of Kentucky and the Kentucky State Park Commission, or either, in the Circuit Court of Clark County, the county of the residence of deceased and deceased's father, for damages incurred by said father and accruing to him by reason of the aforesaid carelessness and negligence. Said suit shall be in any amount not exceeding $15,000.00, and in event any judgment is rendered or recovered in said suit or same is compromised or settled, the amount recovered or agreed upon shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer, and paid out of the general fund.

Either party to said suit may appeal from any judgment which may be entered therein as in any other civil suit, and the case may be settled and adjusted, with the consent and approval of the Attorney General of Kentucky, in the same way as any other civil suit.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harold L. Barnes	Ferd A. Gnau	James B. Milliken
Marshall Barnes	J. S. Hall	Robert A. Persky
Robert E. Beatty	W. Yancey Handy	James I. Peters
Wm. B. Belknap	Frank Harris	G. M. Pritchett
Reuben J. Boling	J. Joseph Hettinger	Pat Rankin
O. J. Bowen	Dr. A. L. Hill	Waylon Rayburn
Corbett Brown	G. W. Howard	W. P. Renfro
Wallace Brown	Ira W. Hulette	L. D. Sandlin
Mrs. Cecil Cantrill	T. M. Johnson	Avery Sartin
Charles Chandler	F. P. Kessee	Jos. W. Schneider
J. A. Coleman	J. H. King	Mrs. M. B. Scott
Sidney J. Collins	Leo King	Harry Sparks
Joel T. Crenshaw	John Kirtley	Lyle C. Tackett
W. J. Curtis	Glenn W. Lane	John W. Taylor
Harry Davis	M. T. McCarthy	Harry B. Thornton
R. A. Demunbrun	Herschel McKinley	J. Sterling Towles
George Dunlap	C. C. McMasters	Starling B. Tracy
Clarence E. Evans	Roy McWaters	Henry T. Ward
Rudy Ferguson	C. C. May	Robert E. Webb
J. B. Floyd	J. S. Mattingly	J. B. Wicker
Kelly J. Francis	G. Samuel Milam	B. M. Williams
Ralph Gilbert	W. H. Miller	—65

Resolved that the title thereof be as aforesaid.

Mr. Tracey moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 299. An Act prohibiting associations, companies persons and corporations engaged in the services of utilities as herein defined, from collecting service charges and minimum charges for their products and providing a penalty for violation of this act.

With a Committee Amendment thereto.

Mr. Evans moved that said bill be laid on the Clerk's Desk.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in that body, entitled:

S. B. 332. An Act relating to the appointment and removal of officers; repealing, amending and re-enacting Section 3750, Carroll's Kentucky Statutes, 1930 Edition, and repealing all conflicting laws.

Ordered that said bill be printed and referred to Committee on Rules.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 533. An Act to amend and re-enact Sections 4883 and 4884 of the Kentucky Statutes as compiled in Carroll's 1930 Edition thereof, Section 4883 being Section 1 of Chapter 37 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1920, and Section 4884 being Section 2 of Chapter 70 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1924, said sections being amendments respectively to Sections 4 and 4-a, of Chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1916 entitled: "An Act to provide an elective system of Workmen's Compensation for Industrial Accidents."

Said bill is as follows, viz.:

WHEREAS, it is a common occurrence for hospitals supported in whole or in part by private charity to furnish hos-

pital rooms, service, equipment and supplies for injured employees under the Kentucky Workmen's Compensation Law; and,

WHEREAS, the compensation for medical, nursing, surgical and hospital treatment has been limited to two hundred ($200.00) dollars and is inadequate; and,

WHEREAS, in many cases of serious injuries to such employees requiring long hospitalization, the hospitals have received only a small percentage of their actual cost, to their large financial loss: NOW THEREFORE,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4883, Kentucky Statutes, as compiled in Carroll's 1930 Edition thereof, the same being Section 1 of Chapter 37 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1920, amending Section 4 of Chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1916, being a section of the act entitled: "An Act to Provide an Elective System of Workmen's Compensation for Industrial Accidents", be amended and re-enacted so that said Section, when amended and re-enacted, shall read as follows:

"In addition to all other compensation herein provided, such medical, surgical and hospital treatment, including nursing, medical and surgical supplies and appliances, as may reasonably be required at the time of the injury and thereafter during disability, but not exceeding ninety days, nor exceeding a total expense to the employer of more than one hundred dollars on account of the benefits provided by this section, unless the board shall, by order made within that time, direct an extension of said period of treatment or direct an extension of said limit of expense to not exceeding one hundred dollars for hospital treatment and services, and one hundred and fifty dollars for medical, surgical and nursing

treatment and supplies and appliances, to cure and relieve from the effects of the injury, shall be furnished by the employer, and in case of his refusal or neglect reasonably to do so, the employer shall be liable for the reasonable expense, within the limits of this section, incurred by or on behalf of the employee in providing the same. In the event of an emergency, the employee shall have the right to call in any available physician or surgeon to administer such first aid as may be reasonably necessary at the expense of the employer within the limits of this section."

§ 2. That Section 4884, Kentucky Statutes, as compiled in Carroll's 1930 edition thereof, the same being Section 2 of Chapter 70 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1924, amending Section 4-a of Chapter 33 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1916, being a section of the Act entitled: "An Act to provide an elective system of Workmen's Compensation for Industrial Accidents," be amended and re-enacted so that said section, when amended and re-enacted, shall read as follows:

"In all claims for hernia resulting from injury received in the course of and resulting from the employee's employment it must be definitely proved to the satisfaction of the board: One, That there was an injury resulting in hernia. Two, That the hernia appeared suddenly and immediately following the injury. Three, That the hernia did not exist in any degree prior to the injury for which compensation is claimed. In all cases where liability for compensation exists, the employer shall provide competent surgical treatment by radical operation, the limits of benefits payable under section forty-eight hundred and eighty-three hereof, and in accordance therewith, being increased to two hundred and fifty ($250.00) dollars in such cases, if the operation is performed. In case the injured employee refuses to submit to the operation, the employer shall have the right to a medical examina-

tion as provided in section forty-nine hundred and eighteen hereof. If it be shown by such examination that the employee has any chronic disease or is otherwise in such physical condition so as to render it more than ordinarily unsafe to submit to such operation, he shall, if unwilling to submit to the operation, be entitled to compensation for disability under the general provisions of this act. If the examination does not disclose the existence of disease or other physical condition rendering the operation more than ordinarily unsafe, and the employee, with the knowledge of the result of such examination, thereafter refuses to submit to such operation, he shall be entitled to compensation for disability under the general provisions of this act for not exceeding one year. If the employee submits to the operation he shall in addition to the surgical benefits herein provided for, be entitled to compensation for his actual disability following such operation. If the hernia results in death within one year after it is sustained, or the operation result in death, such death shall be deemed a result of the injury causing such hernia and compensated accordingly under the provisions of this Act. This paragraph shall not apply where the employee has refused to submit to an operation which has been found by the examination herein provided for not to be more than ordinarily unsafe."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harold L. Barnes	Ralph Gilbert	Clarence Miller
Robert E. Beatty	Ferd A. Gnau	W. H. Miller
Reuben J. Boling	W. Yancey Handy	Robert A. Persky
Corbett Brown	Frank Harris	James I. Peters
Wallace Brown	J. Joseph Hettinger	Steve Pieratt
Mrs. Cecil Cantrill	Dr. A. L. Hill	G. M. Pritchett
Charles Chandler	G. W. Howard	Waylon Rayburn
J. A. Coleman	Ira W. Hulette	W. P. Renfro
Sidney J. Collins	F. P. Kessee	L. D. Sandlin
Joel T. Crenshaw	J. H. King	Avery Sartin
W. J. Curtis	Leo King	Jos. W. Schneider
Harry Davis	John Kirtley	Mrs. M. B. Scott
George Dunlap	Glenn W. Lane	Henry T. Ward
Clarence E. Evans	M. T. McCarthy	Robert E. Webb
Rudy Ferguson	Roy McWaters	B. M. Williams
W. J. Garnett	C. C. May	—47

Those who voted in the negative were—

B. F. Bedford	J. B. Floyd	Pat Rankin
Wm. B. Belknap	Kelly J. Francis	Harry Sparks
O. J. Bowen	Alden L. Love	J. Sterling Towles
D. B. Coughlin	Herschel McKinley	Starling B. Tracy
R. A. Demunbrun	J. S. Mattingly	J. B. Wicker
		—15

Resolved that the title thereof be as aforesaid.

Mr. Gnau moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 81. An Act to repeal Sections 2510, 2511, and 2512

of Carroll's Kentucky Statutes, 1930 Edition, and prescribing the effective date of such repeal.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections 2510, 2511 and 2512 of Carroll's Kentucky Statutes, 1930 Edition, be and the same are repealed as of January 1, 1937.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harold L. Barnes	W. J. Curtis	Dr. A. L. Hill
Marshall Barnes	Harry Davis	G. W. Howard
Robert E. Beatty	R. A. Demunbrun	Ira W. Hulette
B. F. Bedford	George Dunlap	T. M. Johnson
Wm. B. Belknap	Clarence E. Evans	F. P. Kessee
Reuben J. Boling	Rudy Ferguson	J. H. King
O. J. Bowen	J. B. Floyd	Leo King
Corbett Brown	Kelly J. Francis	Glenn W. Lane
Wallace Brown	W. J. Garnett	Alden L. Love
Hugh K. Bullitt	Ralph Gilbert	M. T. McCarthy
Charles Chandler	Ferd A. Gnau	Herschel McKinley
J. A. Coleman	J. S. Hall	Roy McWaters
Sidney J. Collins	W. Yancey Handy	C. C. May
D. B. Coughlin	Frank Harris	Clarence Miller
Joel T. Crenshaw	J. Joseph Hettinger	W. H. Miller

James B. Milliken	W. P. Renfro	Starling B. Tracy
Robert A. Persky	L. D. Sandlin	Henry T. Ward
James I. Peters	Avery Sartin	Robert E. Webb
Steve Pieratt	Jos. W. Schneider	J. B. Wicker
G. M. Pritchett	Mrs. M. B. Scott	B. M. Williams
Pat Rankin	Harry Sparks	
Waylon Rayburn	J. Sterling Towles	—64

Resolved that the title thereof be as aforesaid.

Mr. Bullitt moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 82. An Act to amend and re-enact Section 1550-28 of the 1933 Supplement to Carroll's Kentucky Statutes, Baldwin's Revision.

Said bill is as follows. viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 1550-28 of the 1933 Supplement to Carroll's Kentucky Statutes, Baldwin's Revision, be amended and re-enacted so that when so amended and re-enacted it shall read as follows:

"Any candidate who was voted for at any primary election under this act may contest the right of any candidate to the nomination claimed by him by filing a petition in the circuit court of the county of contestee's residence within 15 days from the day of the primary election stating the specific grounds relied upon for such contest, and causing a summons to be issued thereon, returnable in ten days, which sum-

mons may be served on contestee in any county or it may be served by leaving a copy with a member of his family (over 16 years of age) at his home or by posting a copy on the door of his residence. The contestee shall file his answer within ten days after service of summons, which answer may contain grounds of contest in favor of appellee and against appellant, but such grounds must be specifically set out, and if such grounds be based on the claimed violation of any provision of the Corrupt Practice Act, now Section 1565b-1 to Section 1565b-21, inclusive, of Carroll's Kentucky Statutes, 1930 Edition, such claimed violation must be specifically set out, and no ground of contest by either party shall be filed or made more definite by amendment after the expiration of the time given herein to file same. Contestant may file reply within five days after answer is filed, which shall complete the pleading; the affirmative matter in the reply shall be treated as controverted. Upon return of said summons properly executed, as herein provided, to the office of the circuit clerk of the county in which said action is pending, it shall be the duty of the clerk of the circuit court to immediately docket said cause and to immediately notify the presiding judge of the circuit court of said county that such coneest has been instituted; Provided, that in counties constituting separate circuit court districts and having more than one circuit judge the judge who shall hear and determine such cause shall be determined by lot. Each party to such contest shall be entitled in the production of evidence to be used on the trial thereof to all the remedies allowed in cases at law and in equity, and the judge shall proceed to a trial of said cause within five days after the issue is joined as herein provided. In trying such contests the court shall hear and determine all questions of law and fact without the intervention of a jury and may examine the witnesses orally or require the parties to take the evidence by depositions, in the discretion of the court, or as may be agreed by the parties: Provided, however, that if the evidence is taken orally either party may

have the right to require it to be taken by the official stenographer or reporter for the court, to be taken and transcribed and paid for as evidence in other civil actions. The court may require the contestant, or the person who has the burden of proof under the issue joined, to complete his proof in not less than fifteen days after service of summons, and the contestee, or the persons not having the burden, to complete his proof in not less than ten days after filing of answer, and each party may be given one day additional for producing evidence in rebuttal and no greater time shall be extended, unless the court be satisfied that the ends of justice demand it. The court shall, immediately after the evidence is concluded, consider said contest and determine the same, and his judgment shall be filed in the office of the circuit court clerk as the judgment of the court, and shall have the same force and effect as a judgment rendered by the court in term time. The party desiring to appeal from the judgment of the court shall, not later than the next day after the same is rendered, execute a supersedeas bond in the same form and to the same effect as other supersedeas bonds in other civil actions for an appeal to the Court of Appeals, and the clerk shall immediately thereafterwards transmit to the clerk of the Court of Appeals the original papers in said contest, including such transcript of evidence as may be furnished or as may be required by the court or by the parties, and said record of said contest, when received by the clerk of the Court of Appeals, shall be immediately delivered to the chief justice, and said contest shall have precedence over all other business and causes then pending in the Court of Appeals and shall be heard and disposed of by the Court of Appeals as speedily as the exigencies in the case will admit. If on the trial of such contest the issue is finally decided in favor of the contestee this fact shall be certified to the Secretary of State, and to the county court clerk of the county in which the cause is finally determined. If said contest is finally decided in favor of the contestant this fact shall be certified to the Secretary of State, and to

the clerk of the circuit court of the county in which the contest originated; and if the contest was of a nomination that is required to be certified to the Secretary of State, then the Secreary of State will place the name of the successful contestant on the ticket in the place of the name of the contestee to be voted for by his political party at the succeeding November election. If the nomination is one that is required to be certified to the county court clerk, then the county court clerk or clerks of the county or counties in which such candidate is to be voted for, shall place the name of the successful contestant on the ballot of his political party in lieu of the name of the contestee, to be voted for at the succeeding November election: Provided, however, that when the contests provided for in this act shall be for nomination to offices for the state at large, the contest shall be filed and tried in the Franklin Circuit Court; but shall otherwise be subject to the provisions of the act. In case it shall appear from an inspection of the whole record that there has been such fraud, intimidation, bribery, or violence in the conduct of the election that neither contestant nor contestee can be adjudged to have been fairly nominated or elected, the circuit court, subject to revision by appeal or by the Court of Appeals finally, may adjudge that there has been no election. In such event, the nomination shall be deemed vacant with the same legal effect as if the person nominated had failed to file his nomination papers in time to have his name printed on the official ballot of the succeeding general election.

Provided that if either party desires a recount of the ballots before certificates are issued, he shall make request therefor in his petition within 15 days after the day of election or in the answer filed within 5 days after the service of process on the petition and in the event such request is made the election commissioners whose duty it is to issue certificates shall be made parties defendant; the clerk shall immediately notify the circuit judge of such request and said judge shall at once enter an order directing the ballots, boxes

and all papers pertaining to said election to be transferred to the circuit court and fix a day for such recount proceedings to begin: Said order, however, shall not be entered until the party applying for such order shall have executed bond with approved surety for the costs of the recount in an amount to be fixed by such circuit judge, a copy of said order shall be served upon the parties or their counsel in the same manner as notices are required to be served, which shall be deemed sufficient notice of such proceeding. On the day so fixed the court or judge in vacation shall proceed to recount the ballots if their integrity is satisfactorily shown and shall complete same as soon as practicable and file and enter of record the results thereof and direct the election commissioners, whose duty it is to issue the certificates, to issue the same to the party entitled hereto as shown by said recount. Either party desiring to do so may appeal from the judgment to the Court of Appeals by executing supersedeas bond, as required in other civil cases, before the clerk of the circuit court and by filing the original papers and transcript of the orders in the Court of Appeals within ten days after the entering of said judgment. On the filing of said appeal in the clerk's office of the Court of Appeals, the clerk of said court shall immediately deliver the same to the chief justice and said court shall proceed immediately to the hearing thereof and complete the same as soon as practicable. If the Court of Appeals is in vactaion at the time of filing said appeal, the chief justice shall call together the judges of said court or a majority thereof who shall hear and determine the same in the same manner and with the same effect as if heard and tried by the court in regular session.

The action of the courts, as herein provided, shall be final, concluding the parties as to the question of a recount of the ballots and certificates shall then be issued to the parties entitled thereto. This proceeding for immediate recount may be asked and prosecuted in the same suit with regular contest grounds, but shall not await the preparation or trial

of said contest in either court. If an immediate recount is not asked, as herein allowed, the commissioners shall issue the certificates to those shown to have been selected upon the face of the returns."

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harold L. Barnes	Kelly J. Francis	James B. Milliken
Marshall Barnes	Ralph Gilbert	Robert A. Persky
Robert E. Beatty	Ferd A. Gnau	James I. Peters
B. F. Bedford	J. S. Hall	Steve Pieratt
Wm. B. Belknap	Frank Harris	G. M. Pritchett
Reuben J. Boling	J. Joseph Hettinger	Pat Rankin
O. J. Bowen	Dr. A. L. Hill	Waylon Rayburn
Corbett Brown	G. W. Howard	W. P. Renfro
Wallace Brown	Ira W. Hulette	L. D. Sandlin
Hugh K. Bullitt	T. M. Johnson	Avery Sartin
Mrs. Cecil Cantrill	F. P. Kessee	Jos. W. Schneider
J. A. Coleman	Leo King	Mrs. M. B. Scott
Sidney J. Collins	John Kirtley	Harry Sparks
D. B. Coughlin	Glenn W. Lane	John W. Taylor
Joel T. Crenshaw	Alden L. Love	J. Sterling Towles
W. J. Curtis	M. T. McCarthy	Starling B. Tracy
Harry Davis	C. C. McMasters	Henry T. Ward
R. A. Demunbrun	Roy McWaters	Robert E. Webb
George Dunlap	C. C. May	J. B. Wicker
Clarence E. Evans	J. S. Mattingly	B. M. Williams
J. B. Floyd	Clarence Miller	—62

Resolved that the title thereof be as aforesaid.

Mr. Bullitt moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 86. An Act relating to witnesses for Commonwealth in felony cases, and amending and re-enacting Section 367, Carroll's Kentucky Statutes, 1930 Edition.

Said bill is as follows. viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 367, Carroll's Kentucky Statutes, 1930 Edition, be and the same is hereby amended and re-enacted and as amended and re-enacted shall read as follows:

"Witnesses for the Commonwealth in felony cases shall be allowed one dollar per day for each day in attendance in the circuit court, after indictments have been found, and beginning with the day set for the trial of the case. Where witnesses reside in another county, in addition to per diem, they shall be allowed four cents (4c) per mile going and returning by nearest traveled route to be allowed by the court and certified to the auditor for payment; provided, said witnesses for the Commonwealth as provided for in this section have been summoned upon the written order of the county or Commonwealth's attorney filed with the clerk of the court.

"Provided, however, that no witness shall be allowed the per diem of one dollar per day for more than one day unless said witness actually be used on the trial or excused by the court or Commonwealth's attorney on the first day said witness appears for said trial, and before such witness is sub-

poenaed by the Commonwealth there has been filed with the circuit court clerk a statement signed by the Commonwealth's attorney or the county attorney to the effect that such witness has been interviewed by said county attorney or Commonwealth's attorney, and that in the judgment of said county attorney or Commonwealth's attorney such witness is an important one, and the clerk of said court shall not issue any subpoena in Commonwealth's cases except upon the written request of the county or Commonwealth's attorney filed with the clerk of said court."

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harold L. Barnes	Sidney J. Collins	Ralph Gilbert
Marshall Barnes	D. B. Coughlin	Ferd A. Gnau
Robert E. Beatty	Joel T. Crenshaw	J. S. Hall
B. F. Bedford	W. J. Curtis	Frank Harris
Wm. B. Belknap	Harry Davis	J. Joseph Hettinger
Reuben J. Boling	R. A. Demunbrun	Dr. A. L. Hill
O. J. Bowen	George Dunlap	G. W. Howard
Corbett Brown	Clarence E. Evans	Ira W. Hulette
Wallace Brown	Rudy Ferguson	T. M. Johnson
Hugh K. Bullitt	J. B. Floyd	F. P. Kessee
Mrs. Cecil Cantrill	Kelly J. Francis	J. H. King
J. A. Coleman	W. J. Garnett	Leo King

John Kirtley	James B. Milliken	Mrs. M. B. Scott
Glenn W. Lane	Robert A. Persky	Lyle C. Tackett
Alden L. Love	James I. Peters	John W. Taylor
M. T. McCarthy	Steve Pieratt	J. Sterling Towles
Herschel McKinley	G. M. Pritchett	Starling B. Tracy
C. C. McMasters	Pat Rankin	Henry T. Ward
Roy McWaters	Waylon Rayburn	Robert E. Webb
C. C. May	W. P. Renfro	J. B. Wicker
J. S. Mattingly	L. D. Sandlin	B. M. Williams
Clarence Miller	Avery Sartin	
W. H. Miller	Jos. W. Schneider	—67

Resolved that the title thereof be as aforesaid.

Mr. Bullitt moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. Res. 30. A Resolution designating the Department of Labor as the agency to co-operate with the United States Employment Service in the administration of an act of Congress relating to the establishment of a National Employment System.

Said resolution is as follows, viz.:

Whereas, the Congress of the United States has passed an Act approved by the President, June 6, 1933, entitled "An Act to provide for the establishment of a national employment system and for co-operation with the States in the promotion of such system, and for other purposes"; and,

Whereas, it is provided in Section 5, of the Act aforesaid, that the grants of money authorized by this Act shall

be paid to each State which shall, by action of its Legislature, consent to the provisions of this Act; Now, Therefore,

Be it Resolved by the Senate and the House of Representatives of the State of Kentucky:

Section 1. That the Legislature of the State of Kentucky does hereby accept the provisions and requirements of said Act, and that the Department of Labor is designated as the State Agency to co-operate with the United States Employment Service in accord with the terms and conditions expressed in the said Act, and that the Treasurer of Kentucky be and he is hereby authorized and empowered to receive the grants of money appropriated under said Act.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harold L. Barnes	J. A. Coleman	Ferd A. Gnau
Marshall Barnes	Sidney J. Collins	J. S. Hall
Robert E. Beatty	D. B. Coughlin	Frank Harris
B. F. Bedford	W. J. Curtis	J. Joseph Hettinger
Wm. B. Belknap	R. A. Demunbrun	Dr. A. L. Hill
Reuben J. Boling	George Dunlap	G. W. Howard
O. J. Bowen	Clarence E. Evans	Ira W. Hulette
Corbett Brown	Rudy Ferguson	F. P. Kessee
Wallace Brown	J. B. Floyd	Leo King
Hugh K. Bullitt	Kelly J. Francis	John Kirtley
Mrs. Cecil Cantrill	W. J. Garnett	Glenn W. Lane
Charles Chandler	Ralph Gilbert	Alden L. Love

M. T. McCarthy	Robert A. Persky	Harry Sparks
Herschel McKinley	Steve Pieratt	John W. Taylor
Roy McWaters	G. M. Pritchett	Harry B. Thornton
C. C. May	Pat Rankin	J. Sterling Towles
J. S. Mattingly	Waylon Rayburn	Starling B. Tracy
Clarence Miller	W. P. Renfro	Henry T. Ward
W. H. Miller	L. D. Sandlin	Robert E. Webb
James B. Milliken	Jos. W. Schneider	J. B. Wicker
Tyler Munford	Mrs. M. B. Scott	B. M. Williams

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Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 429. An Act relating to the trapping of fur-bearing animals; exception; providing penalty for its violation; repealing all laws in conflict herewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall hereafter be unlawful for any person, firm or corporation to set, use or maintain any trap or other device for the capture of fur-bearing animals which is not designed to either kill at once or to take alive unhurt.

§ 2. The provisions of this Act shall not apply to poultry raisers and farmers who shall have the right to use any kind of trap at any time within fifty (50) yards of a poultry house, main residence or outbuilding used in connection therewith, which must be guarded from vermin.

§ 3. Any person, firm or corporation violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than $25.00 nor more than $50.00 for each offense.

§ 4. All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Belknap offered the following amendment to said bill, viz.:

Amend H. B. 429 by adding after paragraph 2, line 4, the following: "nor shall the provisions of this act apply to traps set by farmers on land they own or are renting solely for the protection of their poultry or live stock."

Said amendment was agreed to.

Mr. Ferguson moved that said bill be laid on the table.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Ferguson and Evans, were as follows, viz.:

Those who voted in the affirmative were—

Harold L. Barnes	F. P. Kessee	M. D. Phelps
Reuben J. Boling	J. H. King	Steve Pieratt
Sidney J. Collins	Alden L. Love	Avery Sartin
Harry Davis	C. C. McMasters	John W. Taylor
R. A. Demunbrun	Roy McWaters	Harry B. Thornton
Clarence E. Evans	J. S. Mattingly	J. Sterling Towles
Rudy Ferguson	W. H. Miller	Starling B. Tracy
G. W. Howard	Robert A. Persky	J. B. Wicker
Ira W. Hulette	James I. Peters	—26

Those who voted in the negative were—

Robert E. Beatty	J. B. Floyd	James B. Milliken
B. F. Bedford	Kelly J. Francis	G. M. Pritchett
Wm. B. Belknap	W. J. Garnett	Pat Rankin
Corbett Brown	Ralph Gilbert	Waylon Rayburn
Wallace Brown	J. S. Hall	W. P. Renfro
Mrs. Cecil Cantrill	W. Yancey Handy	L. D. Sandlin
Charles Chandler	Frank Harris	Mrs. M. B. Scott
J. A. Coleman	Leo King	Harry Sparks
D. B. Coughlin	John Kirtley	Lyle C. Tackett
Joel T. Crenshaw	Glenn W. Lane	Henry T. Ward
W. J. Curtis	M. T. McCarthy	Robert E. Webb
George Dunlap	Herschel McKinley	B. M. Williams

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Mr. Belknap moved the Previous Question.

Thereupon the Speaker announced, "Shall the Main Question be now put?"

Which was decided in the affirmative.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and rejected.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Robert E. Beatty	D. B. Coughlin	J. B. Floyd
B. F. Bedford	Joel T. Crenshaw	Kelly J. Francis
Wm. B. Belknap	G. Cunningham	W. J. Garnett
Mrs. Cecil Cantrill	George Dunlap	Ralph Gilbert

Ferd A. Gnau	Tyler Munford	Harry Sparks
J. S. Hall	Steve Pieratt	Henry T. Ward
W. Yancey Handy	G. M. Pritchett	Robert E. Webb
Dr. A. L. Hill	W. P. Renfro	B. M. Williams
Leo King	Jos. W. Schneider	
Glenn W. Lane	Mrs. M. B. Scott	—28

Those who voted in the negative were—

Harold L. Barnes	Frank Harris	Robert A. Persky
Marshall Barnes	G. W. Howard	James I. Peters
Reuben J. Boling	Ira W. Hulette	Pat Rankin
O. J. Bowen	F. P. Kessee	Waylon Rayburn
Corbett Brown	J. H. King	L. D. Sandlin
Wallace Brown	Alden L. Love	Avery Sartin
J. A. Coleman	M. T. McCarthy	Lyle C. Tackett
Sidney J. Collins	C. C. McMasters	John W. Taylor
Harry Davis	Roy McWaters	Harry B. Thornton
R. A. Demunbrun	C. C. May	J. Sterling Towles
Clarence E. Evans	J. S. Mattingly	Starling B. Tracy
Rudy Ferguson	W. H. Miller	J. B. Wicker
		—36

Mr. Bowen moved that the vote by which said bill was rejected be reconsidered.

Said motion was disagreed to.

Mr. H. L. Barnes moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 530. An Act to amend Section 865, of Chapter

144 of the Acts of 1918, as amended by Chapter 25 of the Acts of 1926, and by Chapter 12 of the Acts of 1932, being Section 865 of Carroll's Kentucky Statutes of 1930, relating to Building and Loan Associations, the lending of money accumulated to members, investment of surplus and providing for the investment of surplus in the bonds of the Home Owners' Loan Corporation and for the exchange of real estate and other investments or securities held by them for the bonds of the Home Owners' Loan Corporation.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 865 of Chapter 144 of the Acts of 1918, as amended by Chapter 25 of the Acts of 1926 and by Chapter 12 of the Acts of 1932, being Section 865 of Carroll's Kentucky Statutes of 1930, be, and the same is hereby amended by adding the words "Or in the bonds of the Home Owners' Loan Corporation," immediately after the words: "Acts of Congress" where said words first appear in said section, and by adding at the end of said section the following words: "Building and loan associations may exchange any real estate, real estate mortgage notes, bonds, or any other investments or securities held by them for the bonds of the Home Owners' Loan Corporation, taking the said bonds at par in lieu of cash and may take the said bonds at their face value in reduction, or in payment of indebtedness due to any building and loan association, or in payment for, or on account of, the purchase price on a sale or transfer of any property, investment, or asset of the building and loan association," so that said section, when so amended, shall read as follows:

"The moneys accumulated after due allowance made for necessary and proper expenses and for withdrawal of shares, shall at each monthly or weekly meeting be offered to members according to their priority or right to a loan as fixed by the by-laws. Each member whose application for a loan has

been approved shall be entitled, upon giving proper security and complying with the by-laws, to receive a loan equal par value of each share or fractional share held by him or such part as the by-laws allow, provided, however, that the by-laws may restrict the maximum amount of loan to which members may be entitled. If a balance of money remains after the weekly or monthly loans are granted, the directors may invest the same in good and safe bonds, or in such other securities in which banks are now permitted to invest, or in the bonds or debentures of any Home Loan Bank established by Act of Congress, or in the bonds of the Home Owners' Loan Corporation. Building and Loan associations operating under this Act may subscribe for and invest their funds in the stock of any Home Loan Bank established by Act of Congress in such amounts and upon such terms as may be permitted by the laws and regulations governing said bank. Building and loan associations may exchange any real estate, real estate mortgage notes, bonds, or any other investments or securities held by them for the bonds of the Home Owners' Loan Corporation, taking the said bonds at par in lieu of cash, and may take the said bonds at their face value in reduction, or in payment of indebtedness due to any building and loan association, or in payment for, or on account of, the purchase price on a sale or transfer of any property, investment, or asset of the building and loan association."

§ 2. All Acts and parts of Acts in conflict herewith, to the extent of such conflict are hereby repealed.

§ 3. Whereas, in view of financial conditions generally and the difficulty in obtaining security and protection of funds, an emergency is declared to exist and this Act shall become effective immediately upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Harold L. Barnes	Kelly J. Francis	J. S. Mattingly
Marshall Barnes	W. J. Garnett	G. Samuel Milam
Robert E. Beatty	Ralph Gilbert	Clarence Miller
B. F. Bedford	Ferd A. Gnau	W. H. Miller
Wm. B. Belknap	J. S. Hall	Tyler Munford
Reuben J. Boling	W. Yancey Handy	Robert A. Persky
O. J. Bowen	Frank Harris	James I. Peters
Corbett Brown	Dr. A. L. Hill	Steve Pieratt
Wallace Brown	G. W. Howard	Pat Rankin
Mrs. Cecil Cantrill	Ira W. Hulette	W. P. Renfro
Charles Chandler	T. M. Johnson	L. D. Sandlin
J. A. Coleman	J. H. King	Avery Sartin
Sidney J. Collins	Leo King	Jos. W. Schneider
D. B. Coughlin	John Kirtley	Mrs. M. B. Scott
Joel T. Crenshaw	Glenn W. Lane	Harry Sparks
Carroll L. Cropper	Alden L. Love	Harry B. Thornton
W. J. Curtis	M. T. McCarthy	J. Sterling Towles
Harry Davis	George R. McIntosh	Starling B. Tracy
R. A. Demunbrun	Herschel McKinley	Henry T. Ward
George Dunlap	C. C. McMasters	Robert E. Webb
Clarence E. Evans	Roy McWaters	B. M. Williams
Rudy Ferguson	C. C. May	—65

Resolved that the title thereof be as aforesaid.

Mr. Lane moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 531. An Act to amend Section 4706, of Chapter 141 of the Acts of 1918, amending Chapter 122 of the Acts of 1892, and as amended by Chapter 91 of the Acts of 1932; being Section 4706, Chapter 128 of Carroll's Kentucky Statutes of 1930, relating to the investment of funds by Fiduciaries and providing for the investment by persons or corporations holding funds in a fiduciary capacity for loan or investment in the bonds of any Federal Home Loan Bank and the bonds of the Home Owners' Loan Corporation.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4706, Chapter 141, of the Acts of 1918, amending Chapter 122 of the Acts of 1892, and as amended by Chapter 91 of the Acts of 1932, and being Section 4706 of Chapter 128 of Carroll's Kentucky Statutes of 1930, be, and the same is, hereby amended by adding after the words, "Approved July 17, 1916," the following words: "And the bonds of any Federal Home Loan Bank and the bonds of the Home Owners' Loan Corporation", so that said Section when amended shall read as follows:

"It shall be lawful for persons or corporations holding funds in a fiduciary capacity for loan or investment, to invest the same in bonds or other interest bearing obligations of the Government of the United States of America; bonds or State warrants and other interest bearing obligations of the State of Kentucky; securities authorized by an Act of Congress entitled "The Federal Farm Loan Act," and approved July 17, 1916; and the bonds of any Federal Home Loan Bank and the bonds of the Home Owners' Loan Corporation; and real estate, real estate mortgage notes, bonds, and other interest bearing or dividend paying securities

which would be regarded by prudent business men as safe investments; and to make loans with such securities as collateral; and a fiduciary shall account for all interest or profit received.

Where securities originally received by a fiduciary do not meet the requirements for the investment of trust funds as provided in this statute, or where securities in which trust funds have been properly invested thereafter become ineligible for investment of trust funds as provided in this statute, then such ineligible securities shall be sold at such time, and upon such terms and conditions, or shall be held or otherwise handled in such a manner, as prudent business men would, under the particular circumstances, consider proper, and a fiduciary shall be responsible for otherwise acting.''

§ 2. All acts and parts of acts in conflict herewith, to the extent of such conflict, are hereby repealed.

§ 3. Whereas, in view of financial conditions generally and the difficulty in obtaining security and protection of funds, an emergency is declared to exist and this Act shall become effective immediately upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Marshall Barnes	Wm. B. Belknap	Corbett Brown
Robert E. Beatty	Reuben J. Boling	Wallace Brown
B. F. Bedford	O. J. Bowen	Hugh K. Bullitt

Mrs. Cecil Cantrill	Frank Harris	Tyler Munford
Charles Chandler	J. Joseph Hettinger	Rodes K. Myers
J. A. Coleman	Dr. A. L. Hill	Robert A. Persky
Sidney J. Collins	G. W. Howard	James I. Peters
D. B. Coughlin	Ira W. Hulette	Steve Pieratt
Joel T. Crenshaw	G. C. Johnson	Pat Rankin
Carroll L. Cropper	T. M. Johnson	Waylon Rayburn
G. Cunningham	Leo King	W. P. Renfro
W. J. Curtis	John Kirtley	L. D. Sandlin
Harry Davis	Glenn W. Lane	Avery Sartin
R. A. Demunbrun	Alden L. Love	Jos. W. Schneider
George Dunlap	M. T. McCarthy	Mrs. M. B. Scott
Clarence E. Evans	Herschel McKinley	Harry Sparks
Rudy Ferguson	C. C. McMasters	J. Sterling Towles
Kelly J. Francis	Roy McWaters	Starling B. Tracy
W. J. Garnett	C. C. May	Henry T. Ward
Ralph Gilbert	J. S. Mattingly	Robert E. Webb
Ferd A. Gnau	G. Samuel Milam	J. B. Wicker
J. S. Hall	Clarence Miller	B. M. Williams
W. Yancey Handy	W. H. Miller	—68

Resolved that the title thereof be as aforesaid.

Mr. Lane moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 532. An Act to amend Section 582 of Chapter 171 of the Acts of 1893, as amended by Chapter 13 of the Acts of 1928, being Section 582 of Article Two of Chapter 32 of Carroll's Kentucky Statutes of 1930, relating to banks and banking, investment of money by banks and stating when real estate may be acquired and providing for the investment of

the money of said banks in the bonds of any Federal Home Loan Bank and the bonds of the Home Owners' Loan Corporation.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 582 of Chapter 171 of the Acts of 1893, as amended by Chapter 13 of the Acts of 1928, being Section 582 of Article Two, or Chapter 32 of Carroll's Kentucky Statutes of 1930, be, and the same is hereby amended by adding after the words "579" the following words, "but it may invest in the bonds of any Federal Home Loan Bank or in the bonds of the Home Owners' Loan Corporation," and by adding at the end of the said section the following: "Banks may exchange any real estate, real estate mortgage notes, bonds or any other investments or securities held by them for the bonds of the Home Owners' Loan Corporation, taking the said bonds at par in lieu of cash and may take the said bonds at their face value in reduction or in payment of indebtedness due to any bank, or in payment for, or on account of, the purchase price on a sale or transfer of any property, investment or asset of the bank," so that said section when so amended shall read as follows:

"No bank shall employ its moneys, directly or indirectly, in any enterprise or business, except as provided in Section 579, but it may invest in the bonds of any Federal Home Loan Bank or in the bonds of the Home Owners' Loan Corporation; and it may hold such personal property as has been transferred to it as collateral for the payment of any debt, and may acquire title to and hold such real estate as may be necessary for the transaction of its legitimate business, and for a period not longer than ten years such other real estate as shall be conveyed to it in satisfaction of debts previously con-

tracted in the course of its business, or that it may purchase under a judgment in its favor.

Banks may exchange any real estate, real estate mortgage notes, bonds or any other investments or securities held by them for the bonds of the Home Owners' Loan Corporation, taking the said bonds at par in lieu of cash and may take the said bonds at their face value in reduction or in payment of indebtedness due to any bank, or in payment for, or on account of, the purchase price on a sale or transfer of any property, investment or asset of the bank."

§ 2. All Acts and parts of Acts in conflict herewith, to the extent of such conflict, are hereby repealed.

§ 3. Whereas, in view of financial conditions generally and the difficulty in obtaining security and protection of funds, an emergency is declared to exist and this Act shall become effective immediately upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Marshall Barnes	Hugh K. Bullitt	Carroll L. Cropper
Robert E. Beatty	Mrs. Cecil Cantrill	W. J. Curtis
Wm. B. Belknap	Charles Chandler	Harry Davis
Reuben J. Boling	J. A. Coleman	R. A. Demunbrun
O. J. Bowen	Sidney J. Collins	George Dunlap
Corbett Brown	D. B. Coughlin	Clarence E. Evans
Wallace Brown	Joel T. Crenshaw	Rudy Ferguson

Kelly J. Francis	M. T. McCarthy	L. D. Sandlin
W. J. Garnett	Herschel McKinley	Avery Sartin
Ralph Gilbert	C. C. McMasters	Jos. W. Schneider
Ferd A. Gnau	C. C. May	Mrs. M. B. Scott
W. Yancey Handy	J. S. Mattingly	Harry Sparks
Frank Harris	G. Samuel Milam	Lyle C. Tackett
J. Joseph Hettinger	Clarence Miller	John W. Taylor
Dr. A. L. Hill	W. H. Miller	Harry B. Thornton
G. W. Howard	James B. Milliken	J. Sterling Towles
Ira W. Hulette	Rodes K. Myers	Starling B. Tracy
T. M. Johnson	Robert A. Persky	Henry T. Ward
J. H. King	James I. Peters	Robert E. Webb
Leo King	Steve Pieratt	J. B. Wicker
John Kirtley	Pat Rankin	B. M. Williams
Glenn W. Lane	Waylon Rayburn	
Alden L. Love	W. P. Renfro	—67

Resolved that the title thereof be as aforesaid.

Mr. Lane moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 434. An Act to provide for the sexual sterilization of inmates of State Institutions in certain cases and to provide for procedure to protect the rights of such inmates.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. When ever the Superintendent or Warden of the State's reformatories or hospitals for the insane or feebleminded shall be of the opinion that it is for the best interest

of the patient or inmate and society that any inmate of the institution under his care should be sexually sterilized, such superintendent or warden is hereby authorized to cause to be performed by some capable physician or surgeon the operation of sterilization on any such patient or inmate confined in such institution affected with insanity, idiocy, imbecility, feeblemindedness, epilepsy or habitual criminality; provided that such superintendent or warden shall have first complied with the requirements of this act.

§ 2. Such superintendent or warden shall first present to the trustees or managers of his hospital or reformatory a petition stating the facts of the cause and the ground of his opinion, verified by his affidavit to the best of his knowledge and belief, and praying that an order may be entered by said trustees or managers requiring them to have performed by some competent physician to be designated by him in his petition or by said trustees or managers in their order upon the inmate of his institution named in such petition, the operation of vasectomy if upon a male and of salpingectomy if upon a female.

A copy of said petition must be served upon the inmate together with a notice in writing designating the time and place in the said institution, not less than thirty days before the presentation of such petition to said trustees or managers when and where said trustees or managers may hear the act upon such petition. A copy of said petition and notice shall also be served upon the legal guardian or committee of the said inmate if such guardian or committee be known to the said superintendent or warden and if there be no such guardian or committee or none such be known to the said superintendent or warden, then the said superintendent or warden shall apply to the Circuit Court of the County or City in which his said institution is situated, or to the judge thereof in vacation, who by proper order entered in the common law order book of the said court shall appoint some suitable person to act as guardian of said inmate during and for

the purpose of proceeding under this act, to defend the rights and interests of said inmate, and the guardian so appointed shall be paid by the institution a fee not exceeding five dollars as may be determined by the judge of said court for his services under said appointment and such guardian shall be served likewise with a copy of the aforesaid petition and notice. Such guardian may be removed or discharged at any time by the said court or judge thereof in vacation and a new guardian appointed and substituted in his place. If such inmate be an infant having living parents whose names and addresses are known to said superintendent or warden, they or either of them as the case may be shall be served likewise with a copy of said petition and notice aforesaid. The trustees and managers may receive and consider as evidence at the said hearing the commitment papers and other records of said inmate in any of the aforesaid named institutions as certified by the superintendent or warden thereof, together with such other legal evidence as may be offered by any party to the proceedings. Any member of said trustees or managers shall have power to administer oaths to any witnesses at such hearings. Depositions may be taken by any party after due notice and read in evidence if otherwise pertinent. The said trustees or managers shall preserve and keep all records of evidence offered at such hearing and shall have reduced to writing in duplicate all oral evidence so heard to be kept with its records.

Any party to the said proceedings shall have the right to be represented by counsel at such hearings.

The trustees or managers may deny the prayer of said petition or if they shall find that the said inmate is insane, idiotic, feebleminded, epileptic or habitually criminal, and by the laws of heredity is the probable potential parent of socially inadequate offspring likewise afflicted, that the said inmate may be sexually sterilized without detriment to his or her general health, and that the welfare of the inmate and of society will be promoted by such sterilization, the said trustees

or managers may order the said superintendent or warden to have performed by some competent physician to be named in such order upon the said inmate after not less than thirty days from the date of such order, the operation of vasectomy if a male or of salpingectomy if a female; provided that nothing in this act shall be construed to authorize the operation of castration nor the removal of sound organs from the body.

§ 3. From any order so entered by the trustees or managers the said superintendent or warden of the said inmate or his or her committee or guardian or parent or next friend shall within thirty days after the date of such order have an appeal of right to the Circuit Court of the County or City in which the said institution is situated, which appeal may be taken by giving notice thereof in writing to any member of said trustees or managers and to the other parties to the said proceedings, whereupon the said superintendent or warden shall forthwith cause a copy of the petition, notice, evidence and orders of said trustees or managers certified by the chairman or in his absence by any other member thereof, to the clerk of the said Circuit Court, who shall file the same and docket the appeal to be heard and determined by the said court as soon thereafter as may be practicable. The said court in determining such appeal may consider the records of the proceedings before the said trustees or managers, including the evidence as the said court may consider pertinent and proper that may be offered to the said Court by the party to the appeal. Upon such appeal the said Court may affirm, revise, or reverse the orders of said trustees or managers appealed from any may enter such order as it deems just and right and which it shall certify to said trustees or managers. The pendency of such appeal shall stay proceedings under the order of the trustees or managers until the appeal be determined.

§ 4. Any party to such appeal in the Circuit Court may within thirty days after the date of the final order therein apply for an appeal to the Court of Appeals which may grant

or refuse such appeal and shall have jurisdiction to hear and determine the same upon the record of trial in the Circuit Court and to enter such order as it may find in that the circuit court should have entered. The pendency of an appeal in the Court of Appeals shall operate as a stay of proceedings under any orders of the said trustees or managers or of the Circuit Court until the appeal be determined by the said Court of Appeals.

§ 5. Neither of any of said Superintendents or Wardens nor any other person legally participating in the execution of the provisions of this act shall be liable either civilly or criminally on account of said participation.

§ 6. Nothing in this act shall be construed so as to prevent the medical or surgical treatment for sound theraputic reasons of any person in this state, by a physician or surgeon licensed in the state, which treatment may incidently involve the nullification or destruction of the reproductive functions.

§ 7. Whenever any person shall be adjudged of carnal abuse of a female person under the age of ten years, the court may, in addition to other punishment or confinement as may be imposed, direct an operation to be performed upon such person for the prevention of procreation.

§ 8. All laws or parts of laws in conflict herewith are hereby repealed.

Mr. Myers offered the following amendment to said bill, viz.:

Amend H. B. 434 by adding and inserting on page 1, line 5, of the printed bill after the word "warden" the following words: "with the advice and only upon the recommendation of the Medical Staff of the respective institution".

Said amendment was agreed to.

Dr. Hill moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

MONDAY, MARCH 5, 1934.

The House was opened with prayer by the Reverend Olaf Anderson of the Presbyterian Church, South, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

Henry H. Allen	W. J. Curtis	John R. Hobbs
Carroll D. Asbury	Harry Davis	G. W. Howard
Levi Baker	R. A. Demunbrun	Ira W. Hulette
Harold L. Barnes	S. S. Dickson	G. C. Johnson
Marshall Barnes	George Dunlap	T. M. Johnson
Robert E. Beatty	Garland Embry	J. H. King
B. F. Bedford	Rudy Ferguson	Leo King
Wm. B. Belknap	T. P. Fitzpatrick	John Kirtley
Reuben J. Boling	J. B. Floyd	W. L. Knuckles, Jr.
O. J. Bowen	Kelly J. Francis	Glenn W. Lane
Jas. C. Bright	L. J. Gammon	Alden L. Love
Corbett Brown	W. J. Garnett	M. T. McCarthy
Wallace Brown	Ralph Gilbert	George R. McIntosh
Hugh K. Bullitt	Ferd A. Gnau	Herschel McKinley
Mrs. Cecil Cantrill	C. Gottschalk	C. C. McMasters
Charles Chandler	J. S. Hall	Roy McWaters
J. A. Coleman	W. Yancey Handy	C. C. May
Sidney J. Collins	Judson Harmon	J. S. Mattingly
D. B. Coughlin	Frank Harris	L. B. Meadors
Joel T. Crenshaw	R. M. Harrison, Jr.	G. Samuel Milam
Carroll L. Cropper	J. Joseph Hettinger	Clarence Miller
G. Cunningham	Dr. A. L. Hill	H. H. Miller

W. H. Miller	G. M. Pritchett	Lyle C. Tackett
James B. Milliken	Pat Rankin	John W. Taylor
Tyler Munford	Waylon Rayburn	Elmore J. Thomas
Rodes K. Myers	W. P. Renfro	Harry B. Thornton
Richard H. Nufer	L. D. Sandlin	J. Sterling Towles
Robert A. Persky	Avery Sartin	Starling B. Tracy
James I. Peters	Jos. W. Schneider	Henry T. Ward
M. D. Phelps	Mrs. M. B. Scott	Robert E. Webb
Steve Pieratt	Harry Sparks	J. B. Wicker
Kleber F. Price	Lafe J. Spencer	B. M. Williams

Mr. Rayburn moved that the reading of the Journal of Friday's proceedings be dispensed with.

Said motion was agreed to.

Dr. Hill moved that a leave of absence be granted to Messrs. Belknap and Bruton.

Said motion was agreed to.

Dr. Hill moved that the session of today be extended indefinitely.

Said motion was agreed to.

Mr. McMasters moved that the privilege of the floor be extended to Messrs. M. P. Poole and Hugh Cherry of Caldwell County and Senator Pogue of Crittenden County.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills and resolutions were introduced, ordered printed and referred as follows, viz.:

By Mrs. Cantrill:

H. B. 828. An Act creating county Boards of Welfare and defining their duties and powers.

By Mr. Allen:

H. B. 829. An Act to provide for the licensing of road, highway and bridge contractors by the State Highway Commission; providing for an investigation and examination of such contractors; etc.

By Mr. Cunningham:

H. B. 830. An Act to prevent any motor vehicle from hauling passengers, except where the owner thereof is the holder of a certificate of convenience and necessity, or a taxi-cab transporting passengers on a casual trip and providing a penalty for its violation.

By Mr. Bowen:

H. B. 831. An Act relating to tobacco; concerning its production and control; information relating to the amounts of it grown, and when; creating a board for its control with necessary powers and duties; and relating to its marketing and the charges therefor.

By Mr. J. H. King:

H. B. 832. An Act relating to the Primary System of Roads and Highways.

By Mr. Milam:

H. B. 833. An Act to amend and re-enact Section 5, Chapter 174 of the Acts of 1926, session of the General Assembly, relating to a uniform system of accounting in the State and County governments.

By Mr. Towles:

H. B. 834. An Act granting to cities or towns within the Commonwealth of Kentucky the right to lay and maintain within the right-of-way of any public road or highway in the Commonwealth of Kentucky pipes or conduits for the purpose of supplying water and/or gas, etc.

By Mr. Meadors:

H. B. 835. An Act allowing ministers and World War veterans to hunt and fish without a license as now required by law.

By Dr. Hill:

H. B. 836. An Act to add to the Primary System of public roads. The road leading from a point in the old Dixie Bee Line road about three miles east of Guthrie, Todd County, at or near the Tennessee state line, thence in an easterly direction passing the farm of H. E. Wilson and J. T. Mathers, a distance of about one and one-half miles, to the Tennessee Line, known as the Newton Mill Road.

By same:

H. B. 837. An Act to add to the primary system of public roads. The read leading from Allensville in Todd County, in a southerly direction to the Tennessee state line, a distance of about six miles, known as the old Watermelon Road.

By Mr. W. H. Miller:

H. B. 838. An Act to repeal, amend and re-enact Section 1932a-5 of Baldwin's Kentucky Statutes, Carroll's 1930 Edition, relating to the protection of rabbits.

By Mr. Boling:

H. Res. 69. Resolution providing for furnishing Kentucky Directories.

By Dr. Hill:

H. Res. 70. A Resolution for help for enrolling Clerks of Senate and House.

To Committee on Rules.

A message was received from the Senate announcing that they had passed a bill which originated in this House entitled:

H. B. 657. An Act to appropriate $250,000 to obtain land and cave rights in Mammoth Cave Park area.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

At the instance of the Committee on Rules, bills of the following titles were reported, viz.:

H. Res. 67. Resolution for the relief of Goalder Johnson for expenses incurred in transporting prisoners to the House of Reform at Greendale, Kentucky.

H. B. 826. An Act entitled "An Act to amend and reenact Section 4019 of Carroll's Kentucky Statutes, Supplement to 1933," relating to distribution of revenue.

H. B. 798. An Act to amend Subdivision 1 of Article V, of Chapter 32 of the Kentucky Statutes by the inclusion therein of a new Section, 768-a, to be inserted after Section 768, in

Carroll's Kentucky Statutes, Baldwin's Revised Edition, 1930, to extend the powers of railroad companies, etc.

H. B. 801. An Act relating to the time of payment of Confederate Pensions.

H. B. 781. An Act providing for rules and regulations for the operation of nudist colonies in this Commonwealth.

H. B. 753. An Act to regulate the Department of Mines and Minerals of the Commonwealth of Kentucky; to provide for the appointment and employment of officers and employees thereof.

H. B. 518. An Act relating to trucks.

S. B. 249. An Act providing for an adequate unified and integrated system of financial and business administration for the State government.

H. B. 641. An Act to repeal, amend and re-enact Section 4042a-13 of the Kentucky Statutes, relating to the property to be assessed as of July 1st.

S. B. 191. An Act providing for the licensing of agents of life insurance companies and providing for the revocation thereof.

H. B. 737. An Act to abolish the Department of Library and Archives created by Article 20 of the Administrative Reorganization Act; providing that the Kentucky Library Commission be transferred to the Department of Public Property, etc.

S. B. 312. An Act to amend and re-enact Sections 3953a-1 and 3953a-4, Kentucky Statutes, 1930 Edition, relating to the Superintendent of Public Printing, etc.

H. B. 790. An Act to amend and re-enact Section 4356-7, Kentucky Statutes, being Chapter 180 of the Acts of the General Assembly of the year 1928, relating to the condemnation, etc.

H. B. 730. An Act to amend and re-enact Section 722a and subsections 1 to 4, both inclusive, of Carroll's Kentucky Statutes of 1928 being Chapter 18, Acts of 1928, etc., relating to the operation of passenger train service on railroads in this Commonwealth.

H. B. 758. An Act relating to foreign corporations and providing for the service of process on foreign corporations in civil suits arising out of, founded upon, or relating to any business transacted in or carried on by such corporations in this State, etc.

H. B. 808. An Act relating to the present employees of the General Assembly, providing compensation for their services, etc.

H. B. 802. An Act providing for the construction, operation and maintenance by the State Highway Commission of Kentucky of a bridge across the Kentucky River in the City of Frankfort, etc.

H. B. 672. An Act to authorize the Department of Public Welfare to transfer convicts to insane asylums for observation and investigation as to the condition of mind, etc.

H. B. 809. An Act relating to the Primary System of Roads and Highways.

H. B. 811. An Act relating to the Primary System of Roads and Highways.

H. B. 815. An Act relating to the Primary System of Roads and Highways.

H. B. 816. An Act relating to the Primary System of Roads and Highways.

H. B. 817. An Act relating to the Primary System of Roads and Highways.

H. B. 818. An Act relating to the Primary System of Roads and Highways.

H. B. 819. An Act relating to the Primary System of Roads and Highways.

H. B. 820. An Act relating to the Primary System of Roads and Highways.

H. B. 821. An Act relating to the Primary System of Roads and Highways.

H. B. 822. An Act relating to the Primary System of Roads and Highways.

H. B. 825. An Act relating to the Primary System of Roads and Highways.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Dr. Hill moved that the House do now proceed to the consideration of the Orders of the Day.

Said motion was agreed to.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

S. B. 228. An Act to define, license, and regulate the business of making loans or advancements in the amount or of the value of $300 or less, etc.

H. B. 440. An Act permitting veterans of the World War to be entitled to free hunting licenses within their respective resident counties, etc.

H. Res. 42. Resolution authorizing the Irvine Construction Company to sue the State Highway Commission and the Commonwealth of Kentucky.

H. B. 723. An Act appropriating $5,000 out of the general fund for the purpose of erecting a statue of Jefferson Davis, etc.

H. B. 605. An Act relating to the operating of school busses.

H. B. 604. An Act relating to motor vehicles.

S. B. 36. An Act to amend and re-enact Sections 1159 and 1159a, Carroll's Kentucky Statutes, etc.

H. B. 740. An Act appropriating the sum of $3,000 to the Board of Trustees of the Jefferson Davis Memorial, etc.

H. B. 733. An Act providing for fiscal courts to contract with hospitals for the care of the indigent.

H. B. 537. An Act governing the investment of fund of estates by guardians and committees.

H. B. 538. An Act requiring executors, administrators,

curators, trustees, guardians and committees to publish notice of the date of filing of settlements, etc.

H. B. 539. An Act requiring the County Judge, County Clerk, Circuit Court Clerk and Sheriff to take affidavits from individuals offering themselves as surety on bonds executed before the County Judge, etc.

H. B. 120. An Act relating to the Government of cities of the Third Class in the Commonwealth of Kentucky.

S. Res. 36. Resolution providing for the payment for the Legislative Digest.

H. B. 707. An Act relating to the Primary System of Roads and Highways.

H. B. 711. An Act relating to the Primary System of Roads and Highways.

H. B. 713. An Act relating to the Primary System of Roads and Highways.

H. B. 714. An Act relating to the Primary System of Roads and Highways.

H. B. 715. An Act relating to the Primary System of Roads and Highways.

H. B. 716. An Act relating to the Primary System of Roads and Highways.

H. B. 718. An Act relating to the Primary System of Roads and Highways.

H. B. 720. An Act relating to the Primary System of Roads and Highways.

H. B. 721. An Act relating to the Primary System of Roads and Highways.

H. B. 722. An Act relating to the Primary System of Roads and Highways.

H. B. 724. An Act relating to the Primary System of Roads and Highways.

H. B. 726. An Act relating to the Primary System of Roads and Highways.

H. B. 728. An Act relating to the Primary System of Roads and Highways.

H. B. 736. An Act relating to the Primary System of Roads and Highways.

H. B. 746. An Act relating to the Primary System of Roads and Highways.

H. B. 747. An Act relating to the Primary System of Roads and Highways.

H. B. 751. An Act relating to the Primary System of Roads and Highways.

H. B. 756. An Act relating to the Primary System of Roads and Highways.

H. B. 762. An Act relating to the Primary System of Roads and Highways.

H. B. 764. An Act relating to the Primary System of Roads and Highways.

H. B. 769. An Act relating to the Primary System of Roads and Highways.

H. B. 777. An Act relating to the Primary System of Roads and Highways.

H. B. 778. An Act relating to the Primary System of Roads and Highways.

H. B. 779. An Act relating to the Primary System of Roads and Highways.

H. B. 780. An Act relating to the Primary System of Roads and Highways.

H. B. 783. An Act relating to the Primary System of Roads and Highways.

H. B. 784. An Act relating to the Primary System of Roads and Highways.

H. B. 785. An Act relating to the Primary System of Roads and Highways.

H. B. 786. An Act relating to the Primary System of Roads and Highways.

H. B. 787. An Act relating to the Primary System of Roads and Highways.

H. B. 790. An Act relating to the Primary System of Roads and Highways.

H. B. 793. An Act relating to the Primary System of Roads and Highways.

H. B. 807. An Act relating to the Primary System of Roads and Highways.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

The House took up for consideration the unfinished business of Friday, to-wit, a bill entitled:

H. B. 434. An Act to provide for the sexual sterilization of inmates of State Institutions in certain cases and to provide for procedure to protect the rights of such inmates.

With an amendment thereto.

(For bill and amendment, see House Journal of March 2.)

Mr. Hettinger moved that said bill be laid on the table.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Hettinger and Taylor, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Charles Chandler	T. P. Fitzpatrick
Levi Baker	J. A. Coleman	L. J. Gammon
Reuben J. Boling	Sidney J. Collins	C. Gottschalk
O. J. Bowen	D. B. Coughlin	Frank Harris
Corbett Brown	R. A. Demunbrun	R. M. Harrison, Jr.
Wallace Brown	Garland Embry	J. Joseph Hettinger

John R. Hobbs	Herschel McKinley	L. D. Sandlin
Ira W. Hulette	J. S. Mattingly	Jos. W. Schneider
J. H. King	L. B. Meadors	John W. Taylor
W. L. Knuckles, Jr.	Richard H. Nufer	Robt. E. Webb
Glenn W. Lane	G. M. Pritchett	J. B. Wicker

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Those who voted in the negative were—

Carroll D. Asbury	J. S. Hall	Tyler Munford
Harold L. Barnes	W. Yancey Handy	Steve Pieratt
Marshall Barnes	Judson Harmon	Kleber F. Price
Robert E. Beatty	Dr. A. L. Hill	Pat Rankin
B. F. Bedford	G. W. Howard	Waylon Rayburn
Hugh K. Bullitt	T. M. Johnson	W. P. Renfro
Mrs. Cecil Cantrill	John Kirtley	Mrs. M. B. Scott
Joel T. Crenshaw	Alden L. Love	Harry Sparks
G. Cunningham	George R. McIntosh	Lafe J. Spencer
W. J. Curtis	Roy McWaters	Lyle C. Tackett
S. S. Dickson	C. C. May	Elmore J. Thomas
George Dunlap	G. Samuel Milam	J. Sterling Towles
Rudy Ferguson	Clarence Miller	Starling B. Tracy
Kelly J. Francis	H. H. Miller	Henry T. Ward
W. J. Garnett	W. H. Miller	
Ferd A. Gnau	James B. Milliken	

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Mr. Rankin moved that the House do now resolve itself into a Committee of the Whole House for the purpose of hearing Dr. Lyon discuss the merits of said bill.

Said motion was disagreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Carroll D. Asbury	Kelly J. Francis	James I. Peters
Harold L. Barnes	J. S. Hall	Steve Pieratt
Robert E. Beatty	W. Yancey Handy	Kleber F. Price
B. F. Bedford	Judson Harmon	Pat Rankin
Hugh K. Bullitt	G. W. Howard	Waylon Rayburn
Mrs. Cecil Cantrill	T. M. Johnson	W. P. Renfro
Joel T. Crenshaw	John Kirtley	Mrs. M. B. Scott
Carroll L. Cropper	Alden L. Love	Lafe J. Spencer
G. Cunningham	George R. McIntosh	Elmore J. Thomas
W. J. Curtis	Clarence Miller	J. Sterling Towles
S. S. Dickson	H. H. Miller	Starling B. Tracy
George Dunlap	W. H. Miller	Henry T. Ward
Rudy Ferguson	James B. Milliken	
J. B. Floyd	Robert A. Persky	—40

Those who voted in the negative were—

Henry H. Allen	W. J. Garnett	Tyler Munford
Levi Baker	C. Gottschalk	Rodes K. Myers
Reuben J. Boling	Frank Harris	Richard H. Nufer
O. J. Bowen	R. M. Harrison, Jr.	G. M. Pritchett
Corbett Brown	J. Joseph Hettinger	L. D. Sandlin
Wallace Brown	John R. Hobbs	Avery Sartin
Charles Chandler	Ira W. Hulette	Jos. W. Schneider
J. A. Coleman	G. C. Johnson	Lyle C. Tackett
Sidney J. Collins	J. H. King	John W. Taylor
D. B. Coughlin	W. L. Knuckles, Jr.	Harry B. Thornton
Harry Davis	Glenn W. Lane	Robert E. Webb
R. A. Demunbrun	Herschel McKinley	J. B. Wicker
Garland Embry	C. C. McMasters	B. M. Williams
T. P. Fitzpatrick	J. S. Mattingly	
L. J. Gammon	L. B. Meadors	—43

Mr. Hettinger moved that the vote by which said bill was rejected be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Love of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, bills which originated in this House, entitled:

H. B. 1. An Act to recodify the school laws of this state.

H. B. 8. An Act to provide that no additional organization tax shall be assessed against companies changing stock from par value to no-par value.

H. B. 56. An Act to change Williamstown from a city of the sixth class to a city of the fifth class.

H. B. 125. An Act to clarify banking laws and relating to the authority of Banking Commissioner.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled, and thereupon the Speaker in open session and in the presence of the House affixed his signature thereto.

Ordered that the Enrolling Clerk of this House deliver said bills to the Senate.

The House took up for consideration a bill entitled:

H. B. 237. An Act to amend and re-enact Section 2739j-78; Section 2739j-91 and Section 2739j-94 of Carroll's Kentucky Statutes, which was reported to this House from the Senate on March 1, with amendments thereto as offered by the Senate.

(For bill see House Journal of February 5.)

Said amendments as offered by the Senate to said bill, are as follows, viz.:

Amend H. B. 237 in the Senate by striking out of the printed bill on page 4, lines 23½, 24 and 25, being all of subsection 3, and inserting in lieu thereof the following: "Motor vehicles transporting farm products, including dairy products and live stock, from the farm to point of destination, or from any point to the farm, by way of shortest practicable route".

Amend H. B. 237, add to clause 3—"But if this clause should be declared by the courts to be unconstitutional, then it is the intention of the legislature that the present Section 2739j-94 exempting trucks of loaded capacity of 5,500 pounds shall remain and be in force."

Said amendments were each concurred in.

Said bill was then rejected.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Carroll D. Asbury	J. B. Floyd	George R. McIntosh
Robert E. Beatty	L. J. Gammon	Roy McWaters
Wallace Brown	Ralph Gilbert	G. Samuel Milam
Hugh K. Bullitt	Ferd A. Gnau	Clarence Miller
Mrs. Cecil Cantrill	C. Gottschalk	Tyler Munford
Carroll L. Cropper	W. Yancey Handy	Richard H. Nufer
R. A. Demunbrun	Judson Harmon	J. Sterling Towles
S. S. Dickson	G. W. Howard	Henry T. Ward
Rudy Ferguson	Glenn W. Lane	Robert E. Webb

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Those who voted in the negative were—

Henry H. Allen	J. S. Hall	James B. Milliken
Levi Baker	Frank Harris	Rodes K. Myers
Harold L. Barnes	R. M. Harrison, Jr.	James I. Peters
B. F. Bedford	John R. Hobbs	M. D. Phelps
Reuben J. Boling	Ira W. Hulette	Steve Pieratt
O. J. Bowen	G. C. Johnson	Kleber F. Price
Jas. C. Bright	T. M. Johnson	L. D. Sandlin
Corbett Brown	J. H. King	Avery Sartin
Charles Chandler	Leo King	Jos. W. Schneider
J. A. Coleman	John Kirtley	Mrs. M. B. Scott
Sidney J. Collins	W. L. Knuckles, Jr.	Lafe J. Spencer
D. B. Coughlin	Alden L. Love	Lyle C. Tackett
Joel T. Crenshaw	Herschel McKinley	John W. Taylor
W. J. Curtis	C. C. McMasters	Elmore J. Thomas
George Dunlap	C. C. May	Harry B. Thornton
Garland Embry	J. S. Mattingly	Starling B. Tracy
W. J. Garnett	L. B. Meadors	B. M. Williams

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Mr. Myers moved that the vote by which said bill was rejected, be reconsidered.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Myers and Munford, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Mrs. Cecil Cantrill	J. B. Floyd
Harold L. Barnes	D. B. Coughlin	Kelly J. Francis
Robert E. Beatty	Joel T. Crenshaw	L. J. Gammon
B. F. Bedford	Carroll L. Cropper	Ralph Gilbert
Reuben J. Boling	Harry Davis	Ferd A. Gnau
O. J. Bowen	R. A. Demunbrun	C. Gottschalk
Wallace Brown	S. S. Dickson	W. Yancey Handy
Hugh K. Bullitt	Rudy Ferguson	Judson Harmon

Dr. A. L. Hill	G. Samuel Milam	W. P. Renfro
T. M. Johnson	Clarence Miller	Jos. W. Schneider
Glenn W. Lane	H. H. Miller	Elmore J. Thomas
Alden L. Love	James B. Milliken	J. Sterling Towles
M. T. McCarthy	Tyler Munford	Henry T. Ward
George R. McIntosh	Rodes K. Myers	Robert E. Webb
Roy McWaters	Robert A. Persky	
L. B. Meadors	Waylon Rayburn	—46

Those who voted in the negative were—

Carroll D. Asbury	John R. Hobbs	Steve Pieratt
Levi Baker	Ira W. Hulette	Kleber F. Price
Jas. C. Bright	G. C. Johnson	G. M. Pritchett
Corbett Brown	J. H. King	L. D. Sandlin
Charles Chandler	Leo King	Avery Sartin
Sidney J. Collins	John Kirtley	Mrs. M. B. Scott
W. J. Curtis	W. L. Knuckles, Jr.	Harry Sparks
George Dunlap	Herschel McKinley	Lafe J. Spencer
Garland Embry	C. C. McMasters	Lyle C. Tackett
W. J. Garnett	C. C. May	John W. Taylor
J. S. Hall	J. S. Mattingly	Harry B. Thornton
Frank Harris	Richard H. Nufer	Starling B. Tracy
R. M. Harrison, Jr.	James I. Peters	B. M. Williams
J. Joseph Hettinger	M. D. Phelps	—41

After such reconsideration Mr. Myers moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in this House entitled:

H. B. 13. An Act to amend and re-enact Sections 4880, 4882, 4914 and 4941 of Carroll's Kentucky Statutes, Edition of 1930, being Sections of the Workman's Compensation Law of Kentucky.

With an amendment thereto by way of Substitute therefor, as offered by the Senate.

(For bill see House Journal of January 11.)

Said amendment by way of Substitute, as offered by the Senate, is as follows, viz.:

An Act to amend and re-enact Sections 4880, 4882, 4914 and 4941 of Carroll's Kentucky Statutes, Edition of 1930, being sections of the Workmen's Compensation Law of Kentucky.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 4880, of Carroll's Kentucky Statutes, Edition of 1930, be amended by adding at the end of said section the following words:

"and any employers and their employees engaged in the operation of glass manufacturing plants, quarries, sand mines or in the manufacture, treating or handling of sand may, with respect to the disease of silicosis caused by the inhalation of silica dust, in like manner voluntarily subject themselves thereto as to such disease", so that said section when amended will read as follows:

"This act shall apply to all employers having three or more employees regularly engaged in the same occupation, or business and to their employees, except that it shall not apply to domestic employment, agriculture, steam railways, or such common carriers other than steam railways for which a rule of liability is provided by the laws of the United States. Provided, however, it shall apply to the operators of threshing machines used in threshing or hulling grain or seeds. It shall affect the liability of the employers subject thereto to their employees for a personal injury sustained by the employee by accident arising out of and in the course of his employ-

ment, or for death resulting from such accidental injury; provided, however, that personal injury by accident as herein defined shall not include diseases except where the disease is the natural and direct result of a traumatic injury by accident, nor shall they include the results of a pre-existing disease, but shall include injuries or death due to inhalation in mines of noxious gases or smoke, commonly known as 'bad air', and also shall include the injuries or death due to the inhalation of any kind of gas. Any employers and employees who are by the provisions of this section excepted from the provisions of this Act, including employers having less than three employees, may subject themselves thereto by joint, voluntarily application to the board, in writing, for such period as may be stated in the application, which shall be irrevocable during such period and effective thereafter until a written revocation be filed with the board or the employment be terminated, and any employers and their employees engaged in the operation of glass manufacturing plants, quarries, sand mines or in the manufacture, treating or handling of sand may, with respect to the disease of silicosis caused by the inhalation of silica dust, in like manner voluntarily subject themselves thereto as to such disease."

§ 2. That Section 4882 of Carroll's Kentucky Statutes, Edition of 1930, be amended by adding, at the end of said section the following:

"The words 'wilful misconduct' as used in this section, when relating to the disease of silicosis caused by the inhalation of silica dust, shall include (1) failure or ommission on the part of an employee to observe such rules and recommendations as may be adopted by the employer and approved by the Workmen's Compensation Board and which rules and recommendations have been and are kept posted in a conspicuous place in and about the plant, (2) failure or ommission on the part of an employee truthfully to state to the best of his knowledge in answer to inquiry made by the employer

the place, duration, and nature of previous employment, (3) failure and omission on the part of an employee truthfully to furnish to the best of his knowledge in answer to an inquiry made by the employer full information about the previous status of his health, habits and medical attention that he or his blood relatives may have heretofore received, and (4) failure or refusal to submit to medical examination to determine his physical condition with reference to the disease of silicosis whenever such examination is ordered by the board, or to evade or obstruct such examination", so that said section when amended shall read as follows:

"Whereas, at the time of the injury both employer and employee have elected to furnish or accept compensation under the provisions of this act for a personal injury, received by an employee by accident and arising out of and in the course of his employment, or for death resulting from such injury, within two years thereafter, the employer shall be liable to provide and pay compensation under the provisions of this act and shall be released from all other liability whatsoever; provided, however, that if injury or death result to an employee through the deliberate intention of his employer to produce such injury or death, the employee or his dependent as herein defined shall receive the amount provided in this act in a lump sum to be used, if they so desire to prosecute the employer, and said dependents shall be permitted to bring suit against said employer for any amount they may desire; that if injury or death results to an employee through the deliberate intention of his employer to produce such injury or death, the employee or his dependents as herein defined shall have the privilege to take under this act, or in lieu thereof, to have a cause of action at law against such employer as if this act had not been passed, for such damage so sustained by the employee, his dependents or personal representatives as may be recoverable at law. If a suit is brought under this section, all right to compensation under the provi-

sions of this act shall thereby be waived and void as to all persons, and if a claim is made for the payment of compensation or any other benefit provided by this act, all rights to sue the employer for damages on account of such injury or death shall thereby be waived and void as to all persons. Notwithstanding anything hereinafter or hereafter contained, no employee or dependent of any employee shall be entitled to receive compensation on account of any injury to or death of an employee caused by a wilful self-inflicted injury, wilful misconduct or intoxication of such employee. The words 'wilful misconduct' as used in this section, when relating to the disease of silicosis caused by the inhalation of silica dust, shall include (1) failure or omission on the part of an employee to observe such rules and recommendations as may be adopted by the employer and approved by the Workmen's Compensation Board and which rules and recommendations have been and are kept posted in a conspicuous place in and about the plant, (2) failure or omission on the part of an employee truthfully to state to the best of his knowledge in answer to inquiry made by the employer the place, duration, and nature of previous employment, (3) failure and omission on the part of an employee truthfully to furnish to the best of his knowledge in answer to an inquiry made by the employer full information about the previous status of his health, habits, and medical attention that he or his blood relatives may have heretofore received, and (4) failure or refusal to submit to medical examination to determine his physical condition with reference to the disease of silicosis whenever such examination is ordered by the board, or to evade or obstruct such examination."

§ 3. That Section 4914 of Carroll's Kentucky Statutes, Edition of 1930, be amended by adding at the end of said section the following words:

"In cases of the disease of silicosis, caused by the inhalation of silica dust, no application for compensation shall

be considered unless made within one year after the last injurious exposure to silica dust," so that said section when amended shall read as follows:

"No proceeding under this act for compensation for an injury or death shall be maintained unless a notice of the accident shall have been given to the employer as soon as practicable after the happening thereof and unless a claim for compensation with respect to such injury shall have been made within one year after the date of the accident, or, in case of death, within one year after such death, whether or not a claim has been made by the employee himself for compensation. Such notice and such claim may be given or made by any person claiming to be entitled to compensation or by some one in his behalf. If payments of compensation as such have been made voluntarily the making of a claim within such period shall not be required, but shall become requisite following the suspension of such voluntary payments. In cases of the disease of silicosis, caused by the inhalation of silica dust, no application for compensation shall be considered unless made within one year after the last injurious exposure to silica dust."

§ 4. That Section 4941 of Carroll's Kentucky Statutes, Edition of 1930, be amended by adding at the end of said section the following words:

"When application for compensation is made by an employee for compensation for disability due to the disease of silicosis caused by the inhalation of silica dust, the Workmen's Compensation Board shall, upon the application of the employer or the employee, appoint either two, or three, disinterested and duly qualified physicians to examine the employee; if two are appointed, one of them shall be a qualified radiologist, and if three are appointed, two of them shall be so qualified. Said physicians shall examine the employee and certify their findings to the Workmen's Compensation Board, which findings shall state, (1) in what stage, if any, the em-

ployee is suffering from the diseases of silicosis; (2) whether the disability of the employee is temporary, partial or total, and (3) the extent, if any, of the impairment of capacity to work of the employee. Said physicians, so appointed, shall be allowed necessary traveling expenses and reasonable fees, to be fixed by the Workmen's Compensation Board, but not to exceed, for each physician, the sum of $20.00. Said fees and expenses of the medical examiners shall be paid by the party applying for the appointment. If compensation for such disability is awarded by the Board, the employee shall also recover of the employer, or his insurance carrier liable for the compensation, such fees and expenses of said medical examiners paid by him," so that said section when amended shall read as follows:

"The Board, or any member thereof, may, upon the application of either party or upon its own motion, appoint a disinterested and duly qualified physician or surgeon to make any necessary medical examination of the employee and to testify in respect thereto. Said physician or surgeon shall be allowed traveling expenses and a reasonable fee to be fixed by the Board, but not exceeding ten dollars ($10.00) for each examination and report, but the Board may allow additional reasonable amounts in extraordinary cases.

The fees and expenses of such physician or surgeon shall be paid out of the maintenance fund. When application for compensation is made by an employee for compensation due for disability due to the disease of silicosis caused by the inhalation of silica dust, the Workmen's Compensation Board shall, upon the application of the employer or the employee, appoint either two, or three, disinterested and duly qualified physicians to examine the employee; if two are appointed, one of them shall be a qualified radiologist, and if three are appointed, two or them shall be so qualified. Said physicians shall examine the employee and certify their findings to the Workmen's Compensation Board, which findings shall state

(1) in what stage, if any, the employee is suffering from the disease of silicosis; (2) whether the disability of the employee is temporary, partial or total, and (3) the extent, if any, of the impairment of capacity to work of the employee. Said physicians, so appointed, shall be allowed necessary traveling expenses and reasonable fees, to be fixed by the Workmen's Compensation Board, but not to exceed, for each physician, the sum of $20.00. Said fees and expenses of the medical examiners shall be paid by the party applying for the appointment. If compensation for such disability is awarded by the Board, the employee shall also recover of the employer, or his insurance carrier liable for the compensation, such fees and expenses of said medical examiners paid by him."

Said Substitute was then concurred in.

Said bill was then passed as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	S. S. Dickson	W. L. Knuckles, Jr.
Robert E. Beatty	George Dunlap	Glenn W. Lane
Jas. C. Bright	Rudy Ferguson	Roy McWaters
Corbett Brown	J. B. Floyd	C. C. May
Wallace Brown	Kelly J. Francis	L. B. Meadors
Hugh K. Bullitt	Ralph Gilbert	G. Samuel Milam
Mrs. Cecil Cantrill	Ferd A. Gnau	Clarence Miller
Charles Chandler	W. Yancey Handy	W. H. Miller
J. A. Coleman	Frank Harris	Tyler Munford
Joel T. Crenshaw	J. Joseph Hettinger	M. D. Phelps
Carroll L. Cropper	Dr. A. L. Hill	Pat Rankin
W. J. Curtis	John R. Hobbs	Waylon Rayburn
Harry Davis	T. M. Johnson	W. P. Renfro
R. A. Demunbrun	Leo King	L. D. Sandlin

Jos. W. Schneider	J. Sterling Towles	Robert E. Webb
Mrs. M. B. Scott	Henry T. Ward	—47

Those who voted in the negative were—

Carroll D. Asbury	J. S. Hall	Steve Pieratt
Levi Baker	R. M. Harrison, Jr.	Kleber F. Price
Harold L. Barnes	Ira W. Hulette	G. M. Pritchett
Marshall Barnes	G. C. Johnson	Avery Sartin
B. F. Bedford	J. H. King	Harry Sparks
O. J. Bowen	Alden L. Love	Lafe J. Spencer
Sidney J. Collins	Herschel McKinley	John W. Taylor
Garland Embry	J. S. Mattingly	J. B. Wicker
W. J. Garnett	H. H. Miller	—26

Mr. Gnau moved that the vote by which said bill was passed as amended be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 28. An Act to provide transportation for children going to and from schools other than public schools.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That when children who attend any school other than a public school reside on or along the highway constituting the regular route of any public school bus or conveyance provided by any school district for transporting pupils

to and from the public schools, the board of directors or board of education of such district shall afford transportation, without extra charge, for such children from their homes, or from some point on the regular route nearest or most easily accessible to their homes to such school, other than a public school, or to the point on such regular route which is nearest or most easily accessible to such school.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	R. A. Demunbrun	Glenn W. Lane
Carroll D. Asbury	S. S. Dickson	Alden L. Love
Levi Baker	George Dunlap	M. T. McCarthy
B. F. Bedford	Garland Embry	George R. McIntosh
Reuben J. Boling	Rudy Ferguson	Herschel McKinley
O. J. Bowen	J. B. Floyd	C. C. McMasters
Jas. C. Bright	Kelly J. Francis	Roy McWaters
Corbett Brown	L. J. Gammon	C. C. May
Wallace Brown	W. J. Garnett	J. S. Mattingly
Charles Chandler	Ferd A. Gnau	L. B. Meadors
J. A. Coleman	C. Gottschalk	G. Samuel Milam
Sidney J. Collins	J. S. Hall	Clarence Miller
D. B. Coughlin	Frank Harris	H. H. Miller
Joel T. Crenshaw	J. Joseph Hettinger	W. H. Miller
Carroll L. Cropper	John R. Hobbs	Tyler Munford
G. Cunningham	G. C. Johnson	Rodes K. Myers
W. J. Curtis	Leo King	Robert A. Persky
Harry Davis	John Kirtley	James I. Peters

M. D. Phelps	Avery Sartin	J. Sterling Towles
Steve Pieratt	Jos. W. Schneider	Starling B. Tracy
Kleber F. Price	Mrs. M. B. Scott	Henry T. Ward
G. M. Pritchett	Harry Sparks	Robert E. Webb
Waylon Rayburn	Lafe J. Spencer	J. B. Wicker
W. P. Renfro	Elmore J. Thomas	B. M. Williams
L. D. Sandlin	Harry B. Thornton	—74

Those who voted in the negative were—

Hugh K. Bullitt	Judson Harmon	J. H. King
Ralph Gilbert	R. M. Harrison, Jr.	Pat Rankin

—6

Resolved that the title thereof be as aforesaid.

Mr. Bullitt moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 368. An Act to repeal and re-enact Chapter 83 of the Acts of the General Assembly, Commonwealth of Kentucky, its 1932 Session.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Chapter 83, page 381, of the Acts of the General Assembly of the Commonwealth of Kentucky, 1932 Session, be and the same is hereby repealed and re-enacted so that when so re-enacted it will read as follows:

The election commission is authorized to employ such clerical help as said commission may deem necessary to make

said count, and shall remain continuously in session until each and every precinct has been counted and the result ascertained, Sundays and legal holidays excepted. The compensation of said employes shall be paid by the county and the fiscal court of the county shall have the power and the duty to fix the amount of compensation to be paid said employes.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Carroll D. Asbury	W. J. Curtis	R. M. Harrison, Jr.
Levi Baker	Harry Davis	J. Joseph Hettinger
Harold L. Barnes	R. A. Demunbrun	Dr. A. L. Hill
Marshall Barnes	S. S. Dickson	John R. Hobbs
B. F. Bedford	George Dunlap	Ira W. Hulette
Reuben J. Boling	Garland Embry	G. C. Johnson
O. J. Bowen	Rudy Ferguson	T. M. Johnson
Jas. C. Bright	T. P. Fitzpatrick	F. P. Kessee
Wallace Brown	J. B. Floyd	J. H. King
Hugh K. Bullitt	Kelly J. Francis	Leo King
Mrs. Cecil Cantrill	L. J. Gammon	John Kirtley
Charles Chandler	W. J. Garnett	W. L. Knuckles, Jr.
J. A. Coleman	Ralph Gilbert	Glenn W. Lane
Sidney J. Collins	Ferd A. Gnau	Alden L. Love
D. B. Coughlin	C. Gottschalk	M. T. McCarthy
Joel T. Crenshaw	W. Yancey Handy	George R. McIntosh
Carroll L. Cropper	Judson Harmon	Herschel McKinley
G. Cunningham	Frank Harris	C. C. McMasters

Roy McWaters	James I. Peters	Harry Sparks
C. C. May	M. D. Phelps	Lafe J. Spencer
J. S. Mattingly	Steve Pieratt	Elmore J. Thomas
L. B. Meadors	Kleber F. Price	Harry B. Thornton
G. Samuel Milam	G. M. Pritchett	J. Sterling Towles
Clarence Miller	Waylon Rayburn	Starling B. Tracy
H. H. Miller	W. P. Renfro	Henry T. Ward
W. H. Miller	L. D. Sandlin	Robert E. Webb
James B. Milliken	Avery Sartin	J. B. Wicker
Tyler Munford	Jos. W. Schneider	
Rodes K. Myers	Mrs. M. B. Scott	—85

There voted in the negative—

Henry H. Allen —1

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 485. An Act to provide for a more adequate enforcement of all laws; especially those relating to bank robbery, banditry, kidnaping, and similar offenses, also those relating to violations of traffic and motor vehicle regulations, and authorizing for that purpose the creation and organization of an Active Militia; repealing and re-enacting Section 2711a-145, Kentucky Statutes, making the Active Militia a division of the Military Department; providing for an Executive Officer thereof, and for an Executive Council and defining their powers and duties; defining the powers, duties and limitation of the officers and members of the Active Militia;

providing for the organization, discipline, qualifications, conduct, control, and the equipment of same; providing for the payment of necessary salaries and the payment of all other necessary expense incident to the organization, administration and proper maintenance of the Active Militia out of any Budget appropriation made for the present or any future fiscal year for the use of the Military Department or the Adjutant General.

Said bill is as follows, viz.:

Whereas, a wave of banditry and crime has, for the past few years been sweeping the country and organized bands of gunmen have been terrorizing communities, murdering, pillaging, kidnaping, robbing banks, nad committing other outrageous crimes, a daring bank robbery having been perpetrated in broad daylight under the very shalow of our State Capitol, and other similar robberies having occurred in other cities and towns in the Commonwealth; and,

Whereas, our highways have become insecure and unsafe for travel by reason of the recklessness of drivers, many of whom have little regard for human life; and,

Whereas, there are numerous other traffic and motor vehicle violations of the law, the perpetrators of which cannot be brought to justice, because of the inadequate number of peace officers in the Commonwealth, and because of the fact that regular peace officers cannot legally pursue or arrest the offenders, guilty of misdemeanors beyond the limits of their county; and,

Whereas, an additional number of peace officers is urgently required to enforce the laws hereinbefore set out, therefore:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. *Active Militia Authorized:*

Section 2711-145, Carroll's Kentucky Statutes, 1930 Edi-

tion, 1932 Supplement, being Chapter 95, Section 4, of the Acts of 1932, is hereby repealed and re-enacted and said Section when re-enacted shall read:

"The militia of the State shall consist of all able-bodied males, who have or shall have declared their intention to become citizens of the United States, between the ages of 18 and 45, who are residents of the State, and of such other persons as may upon their own application be enlisted or commissioned therein pursuant to the provisions of the law, subject however, to such exemptions as are now or may be hereafter created by the laws of the United States. The militia of this State shall be divided into three classes:

(a) Part of the organized militia to be known as the "Kentucky National Guard."

(b) Another part of the organized militia to be known as the "Active Militia."

(c) The reserve militia, consisting of all other persons liable to military service.

The Governor shall be the Commander-in-Chief of all three classes of the Militia.

§ 2. *Governor to Organize Active Militia:*

The Governor of the Commonwealth shall, and he is hereby authorized to organize the Active Militia in each county of the State, to consist of not less than one nor more than five such militiamen for each thousand of population, which number shall upon order of the Governor, be apportioned to each county. The Governor shall appoint and commission one sober, discreet and qualified person, not less than thirty year of age, in each county of the State, to be the Senior Officer of the Active Militia therein. The rank of the officer so appointed, to be governed by the number of Active Militiamen apportioned to the county.

§ 3. *Selection of Personnel:*

The officer in each county chosen and commissioned by the Governor, together with the County Judge and the Sheriff

shall compose a board to select the personnel for the unit or units of the Active Militia therein. No person shall be accepted as a member of the Active Militia who shall not have received the written approval of at least two of the three named officers. Such persons, after being accepted and sworn in as members of the Active Militia, shall also be immediately discharged from the service by the Adjutant General, upon the written request of any two of the above named officials.

§ 4. *Qualifications:*

No applicant for membership in the Active Militia shall be appointed or sworn in, either as an officer or an enlisted man, unless he be a citizen of the State of Kentucky, and of good moral character, between the ages of 21 and 64, and in good physical condition.

§ 5. *Commissions for Officers and Enlistments and Discharges for Enlisted Men:*

All officers shall be appointed and commissioned by the Governor. All men shall be enlisted by the Company Commanders, and will be discharged upon the order of the Governor, for the same causes and reasons as men are discharged from the National Guard, or when the discharge is requested in writing by two members of the County Board. Enlistments shall be for a period of two years.

§ 6. *Oath of Commissioned Officers and Enlisted Men:*

All officers and enlisted men of the Active Militia, in addition to taking the oath similar to that required to be taken by commissioner officers of the National Guard, and/or enlisted men of the National Guard, shall subscribe to the oath of office prescribed by the Constitution of Kentucky, to be taken by other peace officers of the Commonwealth, and such oaths when duly subscribed to and taken, shall be filed with and preserved by the Adjutant General of Kentucky. The oath shall be administered to the Senior Officer in each county by the County Judge, County Clerk, or a Notary Public. Such Senior Officer may then administer oaths of en-

listment and thereafter Commanding Officers of units are authorized and empowered to administer the oaths of enlistment and other oaths necessary in the military service. The Adjutant General shall have printed forms of oaths for officers and enlisted men, which forms shall first be approved by the Executive Council, and he shall in addition to these, supply unit commanders with all other forms for enlistment, discharge and other necessary administrative requirements.

§ 7. *Code of Regulations:*

The system of organization, armament, discipline, and government of the militia shall be prescribed from time to time in a "Code of Regulations" to be promulgated by the Adjutant General after being authorized by the Executive Council, and the organization, arms and equipment shall, as near as possible, conform to the organization of an Infantry Regiment of the National Guard, except that the uniform shall be entirely distinctive, and shall be of a different color than that of the National Guard.

§ 8. *Drill and Arms Authorized for the Active Militia:*

Companies and other units of the Active Militia are hereby authorized to drill, to parade, and have all other ceremonies, privileges, and rights in regard to such matters, within the State, as is authorized by law for the National Guard. The arms and the drill shall, as nearly as possible, in all respects be the same as that prescribed for an Infantry Regiment of the National Guard.

§ 9. *Governor May Disband and Reorganize the Active Militia:*

The Governor shall have power to alter, divide, annex, disband, or reorganize any organization of the Active Militia, whenever in his judgment, the efficiency of the State Forces will be thereby increased, and he shall have power to change the organization so as to conform to the regulations now or hereafter prescribed by the laws of the United States for the organization of the National Guard.

§ 10. *Active Militia, a Division of the Military Department:*

The Active Militia shall be a division of the Military Department, and the Adjutant General shall, in addition to his other duties as Adjutant General, be the Executive Officer of this division, and shall be responsible to the Governor for the proper functioning of the Active Militia, and he is hereby fully authorized and empowered to take the necessary action to perfect and maintain an efficient organization for the purposes herein set out. He shall have charge of all matters of administration and organization, which shall be in all respects, insofar as necessary and applicable, the same as that of the National Guard.

§ 11. *Executive Council:*

For the purpose of assisting the Executive Officer in the organization and maintenance of the Active Militia, an Executive Council of three (3) members is hereby created. Said Executive Council shall consist of the three Senior Officers of the Kentucky National Guard, who are hereby authorized and empowered to make and promulgate through the Adjutant General, rules and regulations for the organization and government of the Active Militia; to prescribe the uniforms and/or badges and/or insignia to be worn; to prescribe the character of arms to be used; to prescribe a system of communication; to have general supervision of the Active Militia as regards all matters not definitely fixed by law. Said Executive Council is hereby empowered and authorized to employ a reasonable and necessary administrative personnel; to fix the compensation of the Executive Officer, and other necessary personnel; but in no event shall the compensation of the Executive Officer be in excess of One Hundred Dollars ($100.00) per month.

§ 12. *Meetings of Executive Council and Other Duties:*

The Executive Council shall hold its regular meetings at the State Capitol, at Frankfort, Kentucky, on the first Mon-

day in each month and special meetings may be held upon the call of the Adjutant General, after due notice to that effect. The members of the Executive Council shall serve without compensation when attending meetings of the Council; but shall be allowed a reasonable expense so incurred. But the members, and/or any other National Guard Officers authorized by the Executive Council or the Executive Officer to perform any duty with the Active Militia, shall, in addition to their necessary expenses be allowed the per diem fixed by law for active duty services for their rank as National Guard Officers when upon duty in connection with the business of the Active Militia, other than Executive Council meetings.

§ 13. *Armories, Drill Halls, Rifle Ranges:*

All armories and rifle rnages of the National Guard of Kentucky, shall be available for the use of the Active Militia at such times, and in such manner, as may be agreed upon by the Senior National Guard Officer in charge of such Armory or Rifle Range. In counties where there are no National Guard Armories, it shall be the duty of the Fiscal Court, to provide a suitable place for the meetings and drills of the Active Militia, unit or units in that county, either in the Court House, or in some other suitable building.

§ 14. *Impersonating a Member of the Active Militia and Penalty Therefor:*

Any person who shall wear any uniform or insignia or badge duly authorized as a designation of an officer or an enlisted man of the Active Militia, shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than $10.00 nor more than $100.00 in the discretion of the court or jury.

§ 15. *Exempt From Jury Duty:*

The officers and enlisted men of the Active Militia shall be exempt from jury service.

§ 16. *Office in Active Militia Not Incompatible With Any Civil Office:*

No office in the Active Militia shall be incompatible with

any civil office in the Commonwealth either City, County, District or State.

§ 17. *State Shall Not Be Responsible for Pay, Clothing, Arming or Equipping the Active Militia:*

In no event nor under any circumstances shall any of the expense of pay, clothing, arming, or equipping the Active Militia be borne by the State, but counties, cities and/or individuals are hereby authorized to pay, clothe, arm and equip officers and men of units of the Active Militia in accordance with the regulations and rules prescribed by the Executive Council, and it is especially provided that the only expense that shall be borne by the State, is the necessary cost of organization, administration, supervision, instruction, inspection, and providing for a system of communication. No expense whatsoever shall be incurred by reason of this Act, which shall become a charge against the Commonwealth, other than the expense that may be authorized either by the Executive Council or by the Executive Officer.

§ 18. *Officer or Soldier Refusing to Obey:*

Any officer or soldier of the Active Militia who shall refuse or neglect to obey the orders of his Commanding Officer or of any officer or non-commissioned officer legally appointed as his superior, or who shall hinder, interfere with or prevent any other officer or soldier from performing any duty under such order shall be deemed guilty of a misdemeanor and on conviction by any court of competent jurisdiction, shall be punished by a fine of not to exceed $100.00 or by imprisonment in a county jail for not to exceed thirty days, or by both such fine and imprisonment.

§ 19. *Commanding Officer—Visits of Instruction and Inspection:*

The Active Militia is authorized to have the same officers, non-commissioned officer and enlisted men personnel as is authorized for an Infantry regiment of the National Guard. The Senior National Guard Officer in the State, shall, ex

officio, become the Commanding Officer of the Active Militia. He shall, in person, make such inspections and visits of instruction as he may deem proper, or he may cause same to be made from time to time by other National Guard Officers, but he shall either make or cause to be made such visits of instruction and inspection to each unit at least once a year. The National Guard Officer herein designated as the Commanding Officer of the Active Militia and/or any other National Guard Officers ordered on duty with the Active Militia shall in no sense be considered a member or members of the Active Militia, but they shall in all respects retain their National Guard status.

§ 20. *Duties and Power of the Active Militia:*

The Active Militia of any county may be ordered on active duty for the purpose of enforcing the laws of the Commonwealth, by any Circuit Judge, County Judge, Mayor and/or Sheriff, and such civil officer, calling out the Active Militia, shall, in writing, direct the specific object to be attained. Any one of the civil officers named above shall have authority in case of riots, mobs, great calamity, resistance to the processes of the State, or imminent danger of violence to life or property and/or for the purpose of apprehending violators of any laws, including traffic or motor vehicle laws, by written order to the Commanding Officer of any Company, or other unit of the Active Militia; order into active service such part thereof to be specified, in such written order as such civil officer may deem necessary to assist the civil authorities to enforce the law to prevent violence to persons or property and to enforce any other law. Such civil officer calling into active duty any part of the Active Militia and the Commanding Officer of the Militia ordered into service, shall, as soon as possible, report the facts and circumstances relating thereto to the Governor and the Governor shall have the power to relieve from active duty any Active Militiamen at any time he may deem proper.

§ 21. *Active Militia Not to Participate in any Labor or Industrial Controversies:*

No officer or member of the Active Militia shall at any time, or under any circumstances, whatsoever, participate in any labor or industrial controversy on either side thereof. Any officer or member violating the provisions hereof, shall be punishable by a fine of not less than $10.00 nor more than $50.00 and imprisonment in the county jail for not less than ten (10) nor more than fifty (50) days, and the violation of this paragraph shall be sufficient reason for the immediate discharge from the service of such offender.

§ 22. *Officers and Men on Active Duty Are Peace Officers:*

Officers and enlisted men of the Active Militia, when ordered on active duty by civil officers as prescribed herein, are peace officers, and shall have the same right to carry arms and in the same manner as Sheriffs and other peace officers of the Commonwealth are authorized to do. They shall have the same right and authority to make arrests in the same manner as such peace officers and to execute warrants and other criminal process. Their power as peace officers shall be co-extensive with the boundary of the Commonwealth, and their right to act as such peace officers shall not be confined to any one county.

§ 23. *Not Liable for Acts Done in Pursuance of Duty*:

Officers and enlisted men of the Active Militia ordered into Active Service upon written order of the proper civil authorities shall not be liable civilly or criminally for any act or acts legally done by them in pursuance of duty in such service.

§ 24. *Fees, Rewards*:

All officers and enlisted men of the Active Militia shall receive the same fees, compensations and rewards that Sheriffs and other peace officers of the Commonwealth are

allowed by law for making arrests and for other services and duties they are ordered to perform by proper authority.

§ 25. *Expense to be Paid out of any Military Department Budget Appropriation:*

All necessary cost and expense of perfecting and maintaining the organization of the Active Militia, the payment of salaries, expenses of administration, purchase of necessary office furniture, equipment, supplies, printing, postage and all other necessary expenditures shall be paid out of any budget appropriation made for the present or that may be made for any future fiscal year, for use of the Military Department or the Adjutant General, and the Adjutant General is hereby authorized and empowered to use any funds so appropriated interchangeably for the Active Militia, the National Guard and/or for any other purpose authorized by law to be accomplished through the Military Department except that the Armory Fund shall not be so used, but shall be used for Armory purposes only.

§ 26. *Repeals:*

All acts or parts of acts in conflict herewith are to the extent of such conflicts hereby repealed.

§ 27. *Partial Invalidity of Act:*

If any section, subsection, sentence, clause or phrase of this Act shall for any reason be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Act, as it is the intention of the General Assembly, in the enactment of this Act, to enact each and every section separately and independently of each other.

§ 28. *Emergency Clause:*

Whereas, it is important on account of the wave of banditry and crime sweeping the country that the force of peace officers in the State be immediately increased, an emergency is hereby declared to exist, and this Act shall be effective upon its passage and approval by the Governor.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	J. B. Floyd	C. C. McMasters
Carroll D. Asbury	Kelly J. Francis	Roy McWaters
Levi Baker	L. J. Gammon	C. C. May
Marshall Barnes	W. J. Garnett	J. S. Mattingly
Robert E. Beatty	Ralph Gilbert	G. Samuel Milam
B. F. Bedford	Ferd A. Gnau	Clarence Miller
Wm. B. Belknap	C. Gottschalk	H. H. Miller
O. J. Bowen	J. S. Hall	W. H. Miller
Jas. C. Bright	W. Yancey Handy	James B. Milliken
Corbett Brown	Judson Harmon	Tyler Munford
Wallace Brown	R. M. Harrison, Jr.	Richard H. Nufer
Hugh K. Bullitt	J. Joseph Hettinger	Robert A. Persky
Mrs. Cecil Cantrill	Dr. A. L. Hill	James I. Peters
Charles Chandler	John R. Hobbs	M. D. Phelps
J. A. Coleman	Ira W. Hulette	Steve Pieratt
Sidney J. Collins	G. C. Johnson	Kleber F. Price
D. B. Coughlin	T. M. Johnson	G. M. Pritchett
Joel T. Crenshaw	J. H. King	Waylon Rayburn
G. Cunningham	Leo King	W. P. Renfro
W. J. Curtis	John Kirtley	L. D. Sandlin
Harry Davis	W. L. Knuckles, Jr.	Jos. W. Schneider
R. A. Demunbrun	Glenn W. Lane	Mrs. M. B. Scott
S. S. Dickson	Alden L. Love	Harry Sparks
George Dunlap	M. T. McCarthy	Lafe J. Spencer
Garland Embry	George R. McIntosh	John W. Taylor
Rudy Ferguson	Herschel McKinley	Elmore J. Thomas

Harry B. Thornton Starling B. Tracy Robert E. Webb
J. Sterling Towles Henry T. Ward J. B. Wicker
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There voted in the negative—

Harold L. Barnes —1

Resolved that the title thereof be as aforesaid.

Mr. Floyd moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 650. An Act to provide to each Division of the Chancery Branch of the Circuit Courts in counties having a population of 200,000 or more, comprising a separate Judicial District and having six judges, or more, a special clerical assistant to the respective judges of said respective Chancery Divisions of said Court in the performance of their judicial work; fixing the compensation of such clerical assistant and directing the same to be paid out of the county treasury of such county and directing the method and manner by which the same shall be certified by the said Court to the Fiscal Court of said county for payment.

Said bill is as follows, viz.:

Whereas, the judicial duties and functions of the Judges of the several divisions of the Chancery Branch of Circuit Courts in counties having a population of 200,000 inhabitants, or more, comprising a separate Judicial District, and having six Circuit Judges, or more, and the amount and nature of litigation in said Divisions of said Chancery Branch of said

Courts are such as to require the services of a clerical assistant to perform stenographic and other clerical assistance to each of said respective Judges of said Branch of said Court, in the performance of their judicial duties and functions and is necessary to enable said Chancellors to perform their judicial duties and functions with the dispatch and in the manner required by the public interest and the interest of the litigants in said Court; Therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the Circuit Courts in counties having a population of 200,000, or more, comprising a separate Judicial District, and having six Judges, or more, may, by order in General Term, any four of said Judges concurring, appoint a clerical assistant to each of the Judges of the respective Divisions of the Chancery Branch of said Court, whose duties shall be to perform such stenographic and other clerical services for said respective Judges thereof as may be assigned or directed by said Judges, in the performance of their judicial duties or functions; and said Court shall, by order in General Term, any four of said Judges concurring, fix the compensation or salary of each of said clerical assistants at not exceeding $1,500.00 per annum, to be paid monthly out of the county treasury of said county.

When an attested copy of said order of the General Term is presented to the Fiscal Court of said county, the said Fiscal Court of such county shall immediately enter an order directing the treasurer to and the treasurer shall pay out of the funds of said county to said clerical assistant, in equal monthly installments, the compensation so fixed by the said circuit judges in General Term.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of

said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Kelly J. Francis	Clarence Miller
Carroll D. Asbury	W. J. Garnett	H. H. Miller
Levi Baker	Ferd A. Gnau	W. H. Miller
Harold L. Barnes	J. S. Hall	James B. Milliken
Marshall Barnes	W. Yancey Handy	Tyler Munford
Robert E. Beatty	Judson Harmon	Rodes K. Myers
B. F. Bedford	Frank Harris	Richard H. Nufer
Reuben J. Boling	R. M. Harrison, Jr.	Robert A. Persky
O. J. Bowen	J. Joseph Hettinger	M. D. Phelps
Jas. C. Bright	John R. Hobbs	Steve Pieratt
Corbett Brown	G. C. Johnson	Kleber F. Price
Wallace Brown	T. M. Johnson	Pat Rankin
Hugh K. Bullitt	F. P. Kessee	Waylon Rayburn
Mrs. Cecil Cantrill	J. H. King	W. P. Renfro
J. A. Coleman	Leo King	L. D. Sandlin
D. B. Coughlin	John Kirtley	Mrs. M. B. Scott
Joel T. Crenshaw	W. L. Knuckles, Jr.	Harry Sparks
Carroll L. Cropper	Glenn W. Lane	Lafe J. Spencer
G. Cunningham	Alden L. Love	Lyle C. Tackett
W. J. Curtis	M. T. McCarthy	Elmore J. Thomas
Harry Davis	George R. McIntosh	Harry B. Thornton
R. A. Demunbrun	C. C. McMasters	J. Sterling Towles
S. S. Dickson	Roy McWaters	Starling B. Tracy
Garland Embry	C. C. May	Henry T. Ward
Rudy Ferguson	J. S. Mattingly	Robert E. Webb
T. P. Fitzpatrick	L. B. Meadors	J. B. Wicker
J. B. Floyd	G. Samuel Milam	—80

There voted in the negative—

John W. Taylor —1

Resolved that the title thereof be as aforesaid.

Mr. Persky moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Mr. Persky moved that Miss Helen Floyd be appointed Honorary Page of this House.

Said motion was agreed to.

Dr. Hill moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

TUESDAY, MARCH 6, 1934.

The House was opened with prayer by the Reverend Hampton Adams of the Christian Church, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

Henry H. Allen	B. F. Bedford	Wallace Brown
Carroll D. Asbury	Wm B. Belknap	Frank C. Bruton
Levi Baker	Reuben J. Boling	Hugh K. Bullitt
Harold L. Barnes	O. J. Bowen	Mrs. Cecil Cantrill
Marshall Barnes	Jas. C. Bright	Charles Chandler
Robert E. Beatty	Corbett Brown	J. A. Coleman

Sidney J. Collins	John R. Hobbs	Robert A. Persky
D. B. Coughlin	G. W. Howard	James I. Peters
Joel T. Crenshaw	Ira W. Hulette	M. D. Phelps
Carroll L. Cropper	G. C. Johnson	Steve Pieratt
G. Cunningham	T. M. Johnson	Kleber F. Price
W. J. Curtis	F. P. Kessee	G. M. Pritchett
Harry Davis	J. H. King	Pat Rankin
R. A. Demunbrun	Leo King	Waylon Rayburn
S. S. Dickson	John Kirtley	W. P. Renfro
George Dunlap	W. L. Knuckles, Jr.	L. D. Sandlin
Garland Embry	Glenn W. Lane	Avery Sartin
Clarence E. Evans	Alden L. Love	Jos. W. Schneider
Rudy Ferguson	M. T. McCarthy	Mrs. M. B. Scott
T. P. Fitzpatrick	George R. McIntosh	Harry Sparks
J. B. Floyd	Herschel McKinley	Lafe J. Spencer
Kelly J. Francis	C. C. McMasters	Lyle C. Tackett
L. J. Gammon	Roy McWaters	John W. Taylor
W. J. Garnett	C. C. May	Elmore J. Thomas
Ralph Gilbert	J. S. Mattingly	Harry B. Thornton
Ferd A. Gnau	L. B. Meadors	J. Sterling Towles
C. Gottschalk	G. Samuel Milam	Starling B. Tracy
J. S. Hall	Clarence Miller	Henry T. Ward
W. Yancey Handy	H. H. Miller	Robert E. Webb
Judson Harmon	W. H. Miller	J. B. Wicker
Frank Harris	James B. Milliken	B. M. Williams
R. M. Harrison, Jr.	Tyler Munford	W. E. Rogers, Spr.
J. Joseph Hettinger	Rodes K. Myers	
Dr. A. L. Hill	Richard H. Nufer	

Mr. Rayburn moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Wallace Brown moved that a bill entitled:

H. B. 191. An Act fixing an income tax of one per cent on incomes up to $5,000, etc., be taken from the hands of the

Committee on Rules and made a Special Order of the Day for Wednesday, March 7, at two o'clock P. M.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Wallace Brown and McKinley, were as follows, viz.:

Those who voted in the affirmative were—

Levi Baker	Sidney J. Collins	John W. Taylor
Marshall Barnes	D. B. Coughlin	
Wallace Brown	Herschel McKinley	—7

Those who voted in the negative were—

Henry H. Allen	L. J. Gammon	George R. McIntosh
Carroll D. Asbury	W. J. Garnett	C. C. McMasters
Harold L. Barnes	Ralph Gilbert	Roy McWaters
Robert E. Beatty	Ferd A. Gnau	C. C. May
B. F. Bedford	C. Gottschalk	L. B. Meadors
Wm. B. Belknap	J. S. Hall	G. Samuel Milam
O. J. Bowen	W. Yancey Handy	Clarence Miller
Jas. C. Bright	Judson Harmon	James B. Milliken
Frank C. Bruton	R. M. Harrison, Jr.	Tyler Munford
Hugh K. Bullitt	J. Joseph Hettinger	Rodes K. Myers
Charles Chandler	Dr. A. L. Hill	Richard H. Nufer
J. A. Coleman	John R. Hobbs	Robert A. Persky
Joel T. Crenshaw	G. W. Howard	James I. Peters
Carroll L. Cropper	Ira W. Hulette	M. D. Phelps
G. Cunningham	G. C. Johnson	Steve Pieratt
S. S. Dickson	T. M. Johnson	Kleber F. Price
George Dunlap	F. P. Kessee	G. M. Pritchett
Garland Embry	Leo King	Pat Rankin
Clarence E. Evans	John Kirtley	Waylon Rayburn
Rudy Ferguson	W. L. Knuckles, Jr.	L. D. Sandlin
T. P. Fitzpatrick	Glenn W. Lane	Avery Sartin
J. B. Floyd	Alden L. Love	Jos. W. Schneider
Kelly J. Francis	M. T. McCarthy	Mrs. M. B. Scott

Harry Sparks	Elmore J. Thomas	Henry T. Ward
Lafe J. Spencer	J. Sterling Towles	Robert E. Webb
Lyle C. Tackett	Starling B. Tracy	J. B. Wicker

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The hour of twelve o'clock Meridian, having arrived, Dr. Hill moved that the House do now recess until the hour of one-thirty o'clock, P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of one-thirty o'clock P. M., having arrived, the Speaker resumed the Chair and called the House to order.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Meadors:

H. B. 839. An Act relating to roads and highways, and establishing and describing a project to be added to the state primary system of roads and highways, running from Jellico Creek Church, east up the creek by Sheelys to state line.

By same:

H. B. 840. An Act relating to roads and highways, and describing and establishing a project to be added to the state primary system of roads and highways, running from Lot, Ky., underpass, east up Mudd Creek to Laurel Fork to intersect with road running from the Middlesboro road to Buffalo Creek, state line.

By same:

H. B. 841. An Act relating to roads and highways, and describing and establishing a project to be added to the state primary system of roads and highways in this Commonwealth, running from Saxton Bridge, west by Squire Perkins to Jellico, Ky.

By same:

H. B. 842. An Act relating to roads and highways and describing and establishing a project to be added to the state primary system of roads and highways running from Louden Bridge, east to Dishman Springs Church.

By same:

H. B. 843. An Act providing it to be unlawful for any person to solicit or seek to influence voters.

By Mr. Persky:

H. B. 844. An Act repealing, amending and re-enacting Section 331-e-3 of Carroll's Kentucky Statutes and relating particularly to the appointment and compensation of Probation Officers in the various counties of the Commonwealth and to the appointment and compensation of Probation Officers in counties having a city of the first class and providing for the appointment and compensation and fixing the qualifications and powers and duties of a Commissioner for Juvenile matters in such counties.

By Mr. Hobbs:

H. B. 845. An Act to assist disabled ex-service men and women of the World War and veterans of other wars in obtaining from the Federal Government the relief authorized by

Acts of Congress, and continuing in existence for that purpose the Kentucky Disabled Ex-Service Men's Board; providing for the personnel of said Board; providing that said Board shall be included in, be a part, and constitute a division of the Military department; and appropriating funds therefor; providing maintenance of an office, stenographic and other help to carry on the work of said Board.

By Mr. Handy:

H. B. 846. An Act entitled an act to accept title to estate of Eleanor Holmes Lindsay; setting up a Commission; and providing appropriation to pay the debts against her estate, and repair property.

By Mr. Ward:

H. B. 847. An Act relating to the administration of the fiscal affairs of counties, providing who shall constitute the fiscal court, and the qualifications, term of office, appointment and election, and compensation of the members of such court.

By Mr. Love:

H. B. 848. An Act relating to the Primary System of Roads and Highways.

By same:

H. B. 849. An Act relating to the Primary System of Roads and Highways.

By Mr. Keesee:

H. B. 850. An Act disqualifying persons for jury service in Circuit Courts who are not residents, citizens and legal

voters of the county, and whose names do not appear on the tax commissioner's book, or who have served as jurors within twelve months, and providing that any indictment or verdict returned by a jury containing one or more disqualified jurors shall be null and void and that such disqualified juror shall not receive any pay for his or her services, and fixing a penalty on the jury commissioners for selecting disqualified jurors, and on any person who aids or abets in such selection.

By Dr. Hill:

H. B. 851. An Act providing that the purchasers of new cars be allowed five (5) days in which to license same.

By Mr. Taylor:

H. B. 852. An Act relating to the number of brakemen required on railroad trains transporting freight and providing penalties therefor.

By same:

H. B. 853. An Act to require railroad companies to furnish watchmen or gates on all State Highways in this Commonwealth and provide penalties therefor.

By Mr. Marshall Barnes:

H. B. 854. An Act to amend and re-enact Chapter 127 of the Acts of the General Assembly of the Commonwealth of Kentucky of 1922, entitled: "An act amending and re-enacting Section 584, Kentucky Statutes (Carroll's 1915 Edition), relating to deposits in banks, amount to be kept on hand and defining time and demand deposits."

To Committee on Rules.

At the instance of the Committee on Rules, the following bills and resolutions were reported, viz.:

H. B. 404. An Act whereby the sense of the people of any county may be taken as to whether or not they desire the licensing of dogs and protection of livestock.

H. B. 603. An Act to amend Section 2380, subsection 34, Baldwin's Revision of Carroll's Kentucky Statutes (1930), being Chapter 3 of the Acts of the General Assembly of the Commonwealth of Kentucky, etc.

H. B. 689. An Act to repeal and re-enact Chapter 133 of the Acts of the 1932 General Assembly, being Sections 125b-4a, 125b-4b, etc., creating the office of District Detective to the Commonwealth's Attorney.

H. Res. 66. Resolution authorizing Carl Wright to sue the Commonwealth.

H. B. 731. An Act to license the issuance and redemption of any trading stamp by any trading stamp company, person, etc.

H. Res. 55. A Joint Resolution providing for the payment of money to G. W. Lawrence, etc., for extra services in caring for the offices in the State Capitol Building.

H. B. 489. An Act relating to the retirement of outstanding interest-bearing state warrants against the general fund and the duties and powers of the Commissioners of the Sinking Fund in relation thereto.

H. B. 443. An Act providing for pension of $20.00 per month to Confederate veterans and their widows.

H. B. 827. An Act relating to the Primary System of Roads and Highways.

H. B. 836. An Act relating to the Primary System of Roads and Highways.

H. B. 837. An Act relating to the Primary System of Roads and Highways.

H. B. 839. An Act relating to the Primary System of Roads and Highways.

H. B. 840. An Act relating to the Primary System of Roads and Highways.

H. B. 841. An Act relating to the Primary System of Roads and Highways.

H. B. 842. An Act relating to the Primary System of Roads and Highways.

H. B. 848. An Act relating to the Primary System of Roads and Highways.

H. B. 849. An Act relating to the Primary System of Roads and Highways.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

Dr. Hill moved that the session of to-day be extended indefinitely.

Said motion was agreed to.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. Res. 67. Resolution for the relief of Goalder Johnson for expenses incurred in transporting prisoners to the Houses of Reform at Greendale, Kentucky.

H. B. 826. An Act entitled "An Act to amend and re-enact Section 4019 of Carroll's Kentucky Statutes, Supplement to 1933," relating to distribution of revenue.

H. B. 798. An Act to amend Subdivision 1 of Article V of Chapter 32 of the Kentucky Statutes by the inclusion therein of a new section, 768-a, to be inserted after Section 768, in Carroll's Kentucky Statutes, Baldwin's Revised Edition, 1930, to extend the powers of railroad companies, etc.

H. B. 801. An Act relating to the time of payment of Confederate Pensions.

H. B. 781. An Act providing for rules and regulations for the operation of nudist colonies in this Commonwealth.

H. B. 753. An Act to regulate the Department of Mines and Minerals of the Commonwealth of Kentucky; to provide for the appointment and employment of officers and employees thereof.

H. B. 518. An Act relating to trucks.

S. B. 249. An Act providing for an adequate unified and integrated system of financial and business administration for the State government.

H. B. 641. An Act to repeal, amend and re-enact Section 4042a-13 of the Kentucky Statutes, relating to the property to be assessed as of July 1st.

S. B. 191. An Act providing for the licensing of agents of life insurance companies and providing for the revocation thereof.

H. B. 737. An Act to abolish the Department of Library and Archives created by Article 20 of the Administrative Reorganization Act; providing that the Kentucky Library Commission be transferred to the Department of Public Property, etc.

S. B. 312. An Act to amend and re-enact Sections 3953a-1 and 3953a-4, Kentucky Statutes, 1930 Edition, relating to the Superintendent of Public Printing, etc.

H. B. 790. An Act to amend and re-enact Section 4356-7, Kentucky Statutes, being Chapter 180 of the Acts of the General Assembly of the year 1928, relating to the condemnation, etc.

H. B. 730. An Act to amend and re-enact Section 722a and subsections 1 to 4, both inclusive, of Carroll's Kentucky Statutes of 1928, being Chapter 18, Acts of 1928, etc., relating to the operation of passenger train service on railroads in this Commonwealth.

H. B. 758. An Act relating to foreign corporations and providing for the service of process on foreign corporations in civil suits arising out of, founded upon, or relating to any business transacted in or carried on by such corporations in this State, etc.

H. B. 808. An Act relating to the present employees of the General Assembly, providing compensation for their services, etc.

H. B. 802. An Act providing for the construction, oper-

ation and maintenance by the State Highway Commission of Kentucky of a bridge across the Kentucky River in the City of Frankfort, etc.

H. B. 672. An Act to authorize the Department of Public Welfare to transfer convicts to insane asylums for observation and investigation as to the condition of mind, etc.

H. B. 809. An Act relating to the Primary System of Roads and Highways.

H. B. 811. An Act relating to the Primary System of Roads and Highways.

H. B. 815. An Act relating to the Primary System of Roads and Highways.

H. B. 816. An Act relating to the Primary System of Roads and Highways.

H. B. 817. An Act relating to the Primary System of Roads and Highways.

H. B. 818. An Act relating to the Primary System of Roads and Highways.

H. B. 819. An Act relating to the Primary System of Roads and Highways.

H. B. 820. An Act relating to the Primary System of Roads and Highways.

H. B. 821. An Act relating to the Primary System of Roads and Highways.

H. B. 822. An Act relating to the Primary System of Roads and Highways.

H. B. 825. An Act relating to the Primary System of Roads and Highways.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Mr. Keesee moved that the privilege of the floor be extended to Mr. Harve Flanary of Catlettsburg, Kentucky.

Said motion was agreed to.

Mr. Evans moved that Master Gordon Neal Miller be appointed Honorary Page of this House for the remainder of the session.

Said motion was agreed to.

Mr. Coleman moved that Master Ova Clinton Knuckles be appointed Honorary Page of this House for the remainder of the session.

Said motion was agreed to.

Mr. Renfro moved that the privilege of the floor be extended to Mr. Davis M. Howerton, Jr., of Ashland, Kentucky.

Said motion was agreed to.

Mr. Chandler moved that the privilege of the floor be extended to Mr. John P. Haswell of Louisville, Kentucky.

Said motion was agreed to.

A message was received from the Senate announcing that they had reconsidered and passed a bill which originated in that body, entitled:

S. B. 100. An Act to assist disabled ex-service men and women of the World War and veterans of other wars to obtain Federal Relief.

The objections and veto of the Governor to the contrary notwithstanding.

Dr. Hill moved that the reconsideration of said bill be made a Special Order of the Day, for tomorrow at two o'clock P. M.

Said motion was agreed to.

The Enrolling Clerk of this House delivered the original and enrolled copies of bills which originated in this House, entitled:

H. B. 56. An Act to amend Section 2740, Kentucky Statutes, by Carroll, 1932, Official Supplement to Official 1930 Edition, also Chapter 107 of the Acts of 1932, relating to classifications of the cities and towns of Williamstown, Grant County, etc.

H. B. 8. An Act to repeal, amend Section 564, subsection 2, Kentucky Statutes, Carroll's Edition, 1915, relating to corporation, and to re-enact said Section as amended.

H. B. 125. An Act to amend and re-enact Section 18, of Chapter 17 of the Acts of the General Assembly at its 1932 session, approved March 24, 1932, and to repeal Chapter 16 of the Acts of the General Assembly at its 1932 session, and Chapter 18 of the Acts of the General Assembly at its 1932 session, all of same pertaining to banks and banking.

Which were signed by the Speaker of the House in open session and in the Presence of the House on March 5.

Duly signed by the President of the Senate, into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Dr. Hill moved that the House do now take up for consideration from the Clerk's desk, a bill entitled:

H. B. 237. An Act to amend and re-enact Section 2739j-78; Section 2739j-91; and Section 2739j-94 of Carroll's Kentucky Statutes, etc., regulating and governing the transportation for hire of persons and property by motor vehicles, etc.

With amendments thereto as proposed by the Senate, and which were concurred in by this House.

(For bill see House Journal of February 5.)

(For amendments as proposed by the Senate and concurred in by this House, see House Journal of March 5.)

Said bill was then passed as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Harold L. Barnes	Jas. C. Bright	Frank C. Bruton
Robert E. Beatty	Wallace Brown	Hugh K. Bullitt

Sidney J. Collins	Judson Harmon	Tyler Munford
Carroll L. Cropper	J. Joseph Hettinger	Rodes K. Myers
G. Cunningham	Dr. A. L. Hill	Richard H. Nufer
W. J. Curtis	Ira W. Hulette	Robert A. Persky
R. A. Demunbrun	T. M. Johnson	Kleber F. Price
Clarence E. Evans	J. H. King	Pat Rankin
Rudy Ferguson	W. L. Knuckles, Jr.	Waylon Rayburn
J. B. Floyd	Glenn W. Lane	W. P. Renfro
Kelly J. Francis	M. T. McCarthy	Avery Sartin
L. J. Gammon	George R. McIntosh	Jos. W. Schneider
W. J. Garnett	Roy McWaters	Mrs. M. B. Scott
Ralph Gilbert	J. S. Mattingly	Elmore J. Thomas
Ferd A. Gnau	L. B. Meadors	J. Sterling Towles
C. Gottschalk	G. Samuel Milam	Starling B. Tracy
J. S. Hall	Clarence Miller	Henry T. Ward
W. Yancey Handy	W. H. Miller	Robert E. Webb

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Those who voted in the negative were—

Henry H. Allen	George Dunlap	James B. Milliken
Levi Baker	Garland Embry	James I. Peters
Marshall Barnes	Frank Harris	M. D. Phelps
B. F. Bedford	R. M. Harrison, Jr.	Steve Pieratt
Wm. B. Belknap	G. W. Howard	Harry Sparks
Reuben J. Boling	G. C. Johnson	Lafe J. Spencer
O. J. Bowen	Leo King	Lyle C. Tackett
Corbett Brown	John Kirtley	John W. Taylor
Charles Chandler	Alden L. Love	Harry B. Thornton
J. A. Coleman	Herschel McKinley	J. B. Wicker
D. B. Coughlin	C. C. McMasters	B. M. Williams
Joel T. Crenshaw	C. C. May	
S. S. Dickson	H. H. Miller	

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Mr. Munfored moved that the vote by which said bill was passed, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 228. An Act to define, license, and regulate the business of making loans or advancements in the amount or of the value of three hundred dollars ($300) or less, secured or unsecured, at a greater rate of interest, consideration, or charge than six per centum (6%) per annum, prescribing the rates of interest and charges therefor and penalties for the violation thereof, regulating the assignment of wages or salaries, earned or to be earned, when given as security for any such loan or as consideration for a payment of three hundred dollars ($300) or less, providing for the administration of this act, authorizing the making of examinations and investigations and the publication of reports thereof, providing for a review of decisions and findings of the Banking Commissioner under this Act, and repealing so much of Section 4224a, Carroll's Kentucky Statutes (1930) as applies to persons licensed under this Act, and limiting the application of Sections 2218 and 2219, Carroll's Kentucky Statutes (1930), and repealing all Acts and parts of Acts whether general, special, or local, which relate to the same subject matter as this Act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The following terms, as used in this Act, shall have the meaning stated, unless the context requires a different meaning:

(a) "Person" includes individuals, partnerships, associations, and corporations.

(b) "Licensee" means a person licensed under this Act.

(c) "Commissioner" means the "Banking Commissioner of the Commonwealth of Kentucky".

§ 2. No person shall, except as authorized in this Act and without first obtaining a license from the Banking Commissioner as hereinafter provided, engage in the Commonwealth of Kentucky in the business of making loans in the amount or of the value of three hundred dollars ($300) or less and charge, contract for, or receive, directly or indirectly, or by any device, subterfuge, or pretense whatsoever, a greater rate of interest, or consideration therefor than six per cent (6%) per annum.

§ 3. (a) Each application for a license under this Act shall be made in writing, under oath or affirmation, to the Commissioner in such form as he may prescribe. Such application shall contain (1) in the case of an individual, his name and the address of his residence and place of business; (2) in the case of a partnership or association, the name and address of every member thereof and the address of the place where such business is to be conducted; (3) in the case of a corporation, the names and addresses of the officers and directors thereof and the address of the place where such business is to be conducted; and (4) such additional information as the Commissioner may prescribe.

(b) Each applicant shall also prove, in form satisfactory to the Commissioner, that said applicant has a net worth of at least twenty thousand dollars ($20,000) and has available for the purpose of making loans under this Act at the location specified in the application, liquid assets of at least twenty thousand dollars ($20,000).

(c) Each applicant at the time of making such application shall pay to the Commissioner the sum of fifty dollars ($50) as a fee for investigating the application and the additional sum of two hundred and fifty dollars ($250) as an annual license fee for the period terminating on the last day of the current calendar year; provided, that if the applica-

tion is filed after June thirtieth in any year such payment shall be one hundred and twenty-five dollars ($125) as such license fee in addition to the said fee for investigation. In addition to the said annual license fee every licensee hereunder shall pay to the Commissioner the fees for each examination of his business as provided in Section 10 (a) of this Act; and such applicant shall also file with his application a bond running to the Commonwealth of Kentucky in which the applicant shall be the obligor, in the sum of one thousand dollars ($1,000) with one or more sufficient sureties, whose liability as such sureties shall not exceed the said sum in the aggregate. Such bond shall be approved by the Commissioner and conditioned upon the compliance by the applicant with all the provisions of this Act and all rules and regulations lawfully made pursuant thereto. Any person injured by the non-compliance with any such provision, rule, or regulation by any licensee under this Act may maintain a suit in his own name in any court of competent jurisdiction and recover on the bond such damages as shall be adjudged by such court, together with costs of such suit. Recovery upon any such bond shall not preclude recovery against such licensee for any liability in excess of the amount recovered upon the bond, and such recovery shall not be held to extinguish any remedy under other law.

(d) The bond or bonds which the licensee is required to file hereunder shall be renewed and refiled annually at the time of making payment of the annual license fee. If the Commissioner shall find that any such bond has for any reason become insecure or exhausted, a like bond to be approved by the Commissioner in the sum of not more than one thousand dollars ($1,000) shall be filed by the licensee within ten days after written demand therefor by the Commissioner.

§ 4. (a) If the Commissioner approves the bond filed by the applicant and the form of the application, and finds after investigation (1) that the financial responsibility, ex-

perience, character, and general fitness of such applicant, and of the members thereof if the applicant is a partnership or association, and of the officers and directors thereof if the applicant is a corporation, are such as to command the confidence of the community and to warrant the belief that the business of the applicant will be operated honestly, fairly, and efficiently in accordance with the purposes of this Act, (2) that permitting such applicant to engage in such business will promote the convenience and advantage of the community, and (3) that the applicant has a net worth of at least twenty thousand dollars ($20,000) and has available for the purpose of making loans under this act at the specified location liquid assets of at least twenty thousand dollars ($20,000), the Commissioner shall issue to the applicant a license to make loans in accordance with the provisions of this Act at the location specified in said application. If the Commissioner does not so find, he shall not issue such license and he shall notify the applicant of the denial and return to the applicant the bond and the sum paid by the applicant as a license fee, retaining the fifty dollars ($50) investigation fee to cover the cost of investigating the application. The Commissioner shall approve or deny every application for license hereunder within sixty days from the filing thereof with the said fees and the said approved bond.

(b) Every license issued shall state the address of the office at which the business is to be conducted, the name of the licensee, and if the licensee is a partnership or association, the names of the members thereof, and if a corporation, the date and place of its incorporation. Such license shall be kept conspicuously posted in the office of the licensee and shall not be transferable or assignable. Not more than one place of business shall be maintained under the same license but the Commissioner may issue more than once license to the same licensee upon compliance for each such license with all the provisions of this Act applicable to the original issuance of licenses. Whenever a licensee shall desire to change

his place of business to another location within the same municipality the Commissioner, on application, if he finds that the interests of the community will be served thereby, shall indorse on the license a transfer to the new place of business, with the date of transfer, which indorsement shall be authority for the operation of such business under such license at such new location. No change in the place of business of a licensee to a location outside of the original municipality shall be permitted under the same license.

(c) No licensee shall conduct the business authorized by this Act in any office, room, or place of business in which any other business is solicited or engaged in, or in association or conjunction therewith, except upon a written authorization from the Commissioner. No such authorization shall be granted unless the Commissioner finds that the soliciting of or engaging in such other business in the same office, room, or place of business in which the business of making loans under this Act is conducted will not facilitate evasions of this Act. No licensee shall make any loan under this Act under any other name or at any other place of business than that stated in the license.

(d) Each license shall remain in full force and effect until it is surrendered by the licensee or suspended or revoked as hereinafter provided. Each licensee shall, on or before the twentieth day of each December, pay to the Commissioner the annual license fee for the next succeeding calendar year.

(e) The Commissioner shall, upon ten days' written notice to the licensee stating that he contemplates the revocation of his license, and, in general, the grounds therefor, revoke such license, after reasonable opportunity has been afforded to the licensee to be heard, if the Commissioner finds (1) that the licensee has failed to pay his annual license fee or to maintain in effect the bond or bonds required under this Act, or (2) that the licensee has violated any provision of this Act or has failed to comply with any rule or regulation lawfully made pursuant thereto, or (3) that any fact or con-

dition then exists which clearly would warrant the Commissioner in refusing to issue a license on an original application. The Commissioner may, without notice or hearing, suspend any license for a period not exceeding thirty days, pending investigation. The Commissioner shall have authority to reinstate suspended licenses or to issue new licenses to a licensee whose license or licenses shall have been revoked if no fact or condition then exists which clearly would have warranted the Commissioner in refusing originally to issue such license under this Act. Any licensee may surrender any license by delivering to the Commissioner written notice that he thereby surrenders such license.

(f) Whenever the Commissioner shall refuse or deny any application for a license under the provisions of this Act or shall revoke any license issued pursuant to this Act, he shall forthwith file in the office of the Banking Commissioner of Kentucky a written order to that effect, stating his findings with respect thereto and his reasons supporting the denial or refusal or the revocation and shall forthwith serve upon the applicant for license or licensee a copy thereof and said applicant for license or licensee shall be entitled to appeal from said order to the Circuit Court of Franklin County, provided said appeal is filed within thirty days after the service of a copy of said order, and to the Court of Appeals of Kentucky from any decision of said Franklin County Circuit Court.

§ 5. No licensee shall advertise, print, display, publish, distribute, or broadcast, or permit to be advertised, printed, displayed, published, distributed, or broadcast, any statement or representation which refers to the supervision by the Commonwealth of Kentucky of the business licensed hereunder. Nor shall any licensee or any other person knowingly in any such manner make or permit to be made any statement or representation with regard to the rates, terms, or conditions for making loans in the sum of three hundred dollars ($300) or less, which is false, misleading, or deceptive.

§ 6. (a) (1) Every licensee hereunder may lend any sum of money not exceeding three hundred dollars ($300) in amount and may charge, contract for, and receive thereon interest at a rate not exceeding three and one-half per centum (3½%) per month on any part of the unpaid principal balance of the loan not in excess of one hundred and fifty dollars ($150) and two and one-half per centum (2½%) per month on any remainder of the unpaid principal balance of the loan.

(2) No amount whatsoever shall be paid, deducted, or received in advance. Interest shall not be compounded and shall be computed only on unpaid principal balances. The maximum interest permitted on loans made under this Act shall be computed on the basis of the number of days actually elapsed and for the purpose of such computations a month shall be any period of thirty consecutive days. In addition to the interest herein provided for no further or other charge or amount whatsoever for any examination, service, brokerage, commission, expense, fee, or bonus or other thing or otherwise shall be directly or indirectly charged, contracted for, or received, except however, the lawful fees, if any, actually and necessarily paid out by the licensee to any public official for filing or recording in any public office any instrument securing the loan.

(3) No person who is a licensee under this Act shall induce or permit any borrower or borrowers to split up or divide any loan or loans, nor permit any one borrower or any husband or wife individually or together to become indebted to him under more than one contract of loan at the same time if the actual amount of the indebtedness on any one of such contracts is in the amount or of the value of three hundred dollars ($300) or less and there is charged, contracted for, or received thereon, directly or indirectly, by any device, subterfuge, or pretense whatsoever, any interest, or consideration therefor greater than six per centum (6%) per annum.

(b) If any interest, consideration, or amount in excess

of the interest authorized by this Section is charged, contracted for, or received by any licensee under any contract of loan or loan transaction, such contract or transaction shall be void and the licensee shall have no right to collect or receive any principal, interest, or charges whatsoever.

(c) Every licensee shall:

(1) Deliver to the borrower at time of making a loan under this Act a statement in English containing a copy of the provisions of Subdivisions (a) and (b) of this Section and showing in clear and distinct terms the amount and date of the loan and the date of its maturity, the nature of the security, if any, for the loan, the name and address of the borrower and of the licensee, and the agreed rate of interest on such loan;

(2) Give to the borrower a plain and complete receipt for each payment made on account of any such loan at the time such payment is made, specifying the amount applied to interest and the amount, if any, applied to principal, and stating the amount of the unpaid principal balance of the loan;

(3) Upon the repayment of the loan in full, mark indelibly with the word "Paid" or "Cancelled" every obligation and security signed by the borrower and release any mortgage, restore any pledge, and cancel and return every note and assignment given to the licensee by the borrower.

(d) The borrower may pay all or any part of any loan at any time before the date of maturity thereof, but any such payment may first be applied by the licensee to all interest unpaid up to the date of such payment.

(e) No licensee shall take any confession of judgment or any power of attorney. Nor shall any licensee take any note, promise to pay, or security that does not accurately disclose the actual amount of the loan, the time for which it is made, and the agreed rate of interest; nor take any instrument in which blanks are left which are to be filled in after the exe-

cution of such instrument. No instrument taken under authority of this Act shall be negotiable.

(f) Every licensee shall have at all times a net worth of at least twenty thousand dollars ($20,000) and shall maintain at all times assets of at least twenty thousand dollars ($20,000) either in liquid form available for or actually used in making of loans under this Act at the location specified in the license.

(g) No licensee shall take any lien upon real estate as security for any loan under Act, except such lien as may be obtained by virtue of a judgment or decree.

§ 7. (a) No person, except as authorized by this Act, shall, directly or indirectly, by any device, subterfuge, or pretence whatsoever charge, contract for, or receive, or participate, as agent, broken, or in any other capacity, in charging, contracting for, or receiving, any interest, discount, or consideration greater than six per centum (6%) per annum upon any loan in the amount or of the value of three hundred dollars ($300) or less, and no loan made in violation of the provisions of this Act shall be valid or enforceable within this Commonwealth.

(b) Any loan in the amount or of the value of three hundred dollars ($300) or less for which there has been charged, contracted for, or received a greater rate of interest, or consideration than licensees are permitted to charge, contract for, or receive under this Act is hereby declared to be against the public policy of the Commonwealth. No such loan made outside the Commonwealth shall be enforced in the Commonwealth and every person in anywise participating therein in the Commonwealth shall be subject to the provisions of this Act; except that the provisions of this subdivision shall not apply to loans legally made in any State in which there was in force at the time of making such loan a small loan law the regulatory provisions of which are similar in principle to those contained in this Act.

§ 8. No licensee shall, directly or indirectly, charge, contract for or receive any interest, or consideration greater than six per centum (6%) per annum upon any loan in the amount or of the value of more than three hundred dollars ($300), or in any case in which the licensee permits any individual as borrower or as indorser, guarantor, or surety for any borrower, or otherwise, to owe directly or contingently, or both, to the licensee at any time the sum of more than three hundred dollars ($300) for principal.

§ 9. The payment of three hundred dollars ($300) or less in money, credit, goods, or things in action, as consideration for any sale, assignment, or order for the payment of wages, salary, commissions, or other compensation for services, whether earned or to be earned, shall be deemed for the purposes of regulation under this Act a loan secured by such assignment, and the amount by which assigned compensation exceeds the amount of such consideration actually paid shall be deemed for the purposes of regulation under this Act interest or charges upon such loan from the date of such payment to the date such compensation is payable. Such transaction shall be governed by and subject to the provisions of this Act.

§ 10. (a) The provisions of this Act shall be enforced by the Commissioner, who is authorized to make such rules and regulations, in addition hereto and not inconsistent herewith, as may be necessary for the proper conduct of the business licensed hereunder and for the enforcement of this Act. The Commissioner shall make an annual examination of the affairs, business, office, and records of every licensee, and such further examinations or investigations as he shall deem necessary for the purpose of discovering violations of this Act or of securing information necessary for its proper enforcement. For every examination made under this Act the Commissioner shall charge the same fees as are allowed by statute for the examination of banks. For the purpose of

making such examinations or investigations the Commissioner and his duly designated representative shall have authority to require the attendance of and to examine under oath all persons whomsoever, whose testimony he may require, relative to the loans or business of any such licensee, and shall have free access to the accounts, papers, records, files, safes, vaults, offices, and places of business used in connection with any business conducted under any license issued in accordance with this Act.

(b) All moneys collected by the Commissioner under the provisions of this Act for license fees and examinations or otherwise shall be paid as collected into the State Treasury and then credited to an account of the Banking Department.

(c) Each licensee shall annually on or before the fifteenth day of March file with the Commissioner a report giving such information as the Commissioner may require relevant to the business and operations during the preceding calendar year of each licensed place of business conducted by such licensee in the Commonwealth. Such report shall be made under oath and in the form prescribed by the Commissioner. The Commissioner shall make and publish annually an analysis and recapitulation of such reports.

(d) Each licensee shall keep and use in his business and shall preserve for at least two years after making the final entry on any loan recorded therein, such books, accounts, records, or card systems as will enable the Commissioner to determine whether such licensee is complying with the provisions of this Act and with the rules and regulations made pursuant thereto.

§ 11. Any individual or any member, officer, director, agent or employee of any association, partnership, or corporation, who shall violate or participate in the violation of any of the provisions of Sections 2, 4(c), 5, 6(a), 6(c), 6(d), 6(e), 6(g), 7, 10(c), or 10(d) of this Act, shall, upon conviction thereof, be punished by a fine of not more than three hundred

dollars ($300) or by imprisonment for not more than six months, or both.

Any contract of loan not invalid for any other reason, in the making or collection of which any act shall have been done which constitutes a misdemeanor under this Section, shall be void and the lender shall have no right to collect or receive any principal, interest or charges whatsoever.

§ 12. This Act shall not apply to any person, partnership, association, or corporation doing business under and as permitted by any law of this Commonwealth or of the United States relating to banks, savings banks, trust companies, trust banking and title insurance companies, building and loan associations, co-operative marketing associations, credit unions, or licensed pawnbrokers, nor to any person, partnership, association or corporation engaged in the business of purchasing direct from dealers, notes arising from the sale of motor vehicles or of financing or refinancing individuals through the medium of loans upon the sole security of liens upon motor vehicles.

§ 13. (a) So much of Section 4224a, Carroll's Kentucky Statutes (1930) as applies to persons licensed under this Act is hereby repealed. This Act shall not be construed as repealing or amending Section 2218 or Section 2219, Carroll's Kentucky Statutes (1930), but said Sections shall not apply to loans made under authority of this Act.

(b) All other Acts and parts of Acts, whether general, special, or local, which relate to the same subject matter as this Act are hereby repealed.

§ 14. No assignment of or order for payment of any salary, wages, commissions, or other compensation for services, earned or to be earned, when taken as security for any loan made under this Act, shall be valid unless the amount of such loan is paid to the borrower simultaneously with its execution. Under any assignment of or order for the payment of future salary, wages, commissions, or other compensation

for services given as security for a loan made under this Act, there shall not at any time be collectible from the employer of the borrower more than a sum equal to ten per centum (10%) of the amount then owing the borrower for any such salary, wages, commissions, or other compensation for services.

§ 15. If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

§ 16. This Act shall take effect from and after its passage, approval, and publication.

Mr. Collins offered the following amendment to said bill, viz.:

Amend S. B. 228 by adding at the end of said bill the following clause: "The provisions of this Act shall apply only to cities of the first and second class."

Mr. Keesee moved that said amendment be laid on the table.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Keesee and Harris, were as follows, viz.:

Those who voted in the affirmative were—

Harold L. Barnes	Garland Embry	F. P. Kessee	
Mrs. Cecil Cantrill	J. B. Floyd	Pat Rankin	
Sidney J. Collins	Frank Harris	Avery Sartin	
S. S. Dickson	R. M. Harrison, Jr.		
George Dunlap	John R. Hobbs		—13

Those who voted in the negative were—

Henry H. Allen	L. J. Gammon	W. H. Miller
Carroll D. Asbury	W. J. Garnett	James B. Milliken
Levi Baker	Ralph Gilbert	Tyler Munford
Marshall Barnes	Ferd A. Gnau	Rodes K. Myers
Robert E. Beatty	W. Yancey Handy	Richard H. Nufer
B. F. Bedford	Judson Harmon	Robert A. Persky
Wm. B. Belknap	J. Joseph Hettinger	James I. Peters
O. J. Bowen	Dr. A. L. Hill	M. D. Phelps
Jas. C. Bright	G. W. Howard	Steve Pieratt
Corbett Brown	Ira W. Hulette	Kleber F. Price
Wallace Brown	G. C. Johnson	G. M. Pritchett
Frank C. Bruton	T. M. Johnson	Waylon Rayburn
Hugh K. Bullitt	J. H. King	W. P. Renfro
Charles Chandler	Leo King	L. D. Sandlin
J. A. Coleman	Glenn W. Lane	Jos. W. Schneider
D. B. Coughlin	M. T. McCarthy	Mrs. M. B. Scott
Joel T. Crenshaw	George R. McIntosh	Lafe J. Spencer
Carroll L. Cropper	Herschel McKinley	Lyle C. Tackett
G. Cunningham	C. C. McMasters	John W. Taylor
W. J. Curtis	Roy McWaters	Elmore J. Thomas
Harry Davis	C. C. May	Harry B. Thornton
R. A. Demunbrun	J. S. Mattingly	Starling B. Tracy
Clarence E. Evans	L. B. Meadors	Henry T. Ward
Rudy Ferguson	G. Samuel Milam	Robert E. Webb
T. P. Fitzpatrick	Clarence Miller	J. B. Wicker
Kelly J. Francis	H. H. Miller	B. M. Williams

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Said amendment as offered by Mr. Keesee was then disagreed to.

Mr. Wicker offered the following amendment to said bill, viz.:

Amend S. B. 228 by striking out the word "three" in line 3 on page 7, under Section 6 (a) (1) and figure 3 on the same page and Section in line 4 in the printed bill and insert-

ing the word "two" and figure "2" in lieu thereof. When so amended will read as follows: "Two and one-half per centum per month."

Said amendment was disagreed to.

Mr. Gottschalk moved the Previous Question.

Thereupon the Speaker announced, "Shall the Main Question be now put?"

Which was decided in the affirmative.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	R. A. Demunbrun	G. C. Johnson
Carroll D. Asbury	Clarence E. Evans	Leo King
Levi Baker	Rudy Ferguson	Glenn W. Lane
B. F. Bedford	Kelly J. Francis	George R. McIntosh
Wm. B. Belknap	L. J. Gammon	Herschel McKinley
O. J. Bowen	W. J. Garnett	Roy McWaters
Jas. C. Bright	Ralph Gilbert	J. S. Mattingly
Charles Chandler	Ferd A. Gnau	L. B. Meadors
J. A. Coleman	C. Gottschalk	G. Samuel Milam
Joel T. Crenshaw	W. Yancey Handy	Clarence Miller
Carroll L. Cropper	Judson Harmon	H. H. Miller
G. Cunningham	Dr. A. L. Hill	W. H. Miller
W. J. Curtis	G. W. Howard	James B. Milliken
Harry Davis	Ira W. Hulette	Richard H. Nufer

Robert A. Persky	Jos. W. Schneider	Elmore J. Thomas
James I. Peters	Harry Sparks	J. Sterling Towles
G. M. Pritchett	Lafe J. Spencer	Starling B. Tracy
W. P. Renfro	John W. Taylor	Henry T. Ward

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Those who voted in the negative were—

Harold L. Barnes	George Dunlap	C. C. May
Marshall Barnes	Garland Embry	Tyler Munford
Robert E. Beatty	J. B. Floyd	Rodes K. Myers
Reuben J. Boling	J. S. Hall	M. D. Phelps
Wallace Brown	Frank Harris	Steve Pieratt
Frank C. Bruton	R. M. Harrison, Jr.	Kleber F. Price
Hugh K. Bullitt	John R. Hobbs	Pat Rankin
Mrs. Cecil Cantrill	F. P. Kessee	Avery Sartin
Sidney J. Collins	J. H. King	Harry B. Thornton
D. B. Coughlin	Alden L. Love	Robert E. Webb
S. S. Dickson	M. T. McCarthy	J. B. Wicker

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Resolved that the title thereof be as aforesaid.

Mr. Gottschalk moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Love of the Committee on Enrollment reported that they had examined and found to be correctly enrolled bills which originated in the Senate of the following titles, viz.:

S. B. 21. An Act to amend paragraph 1, Section 1938a, Chapter 57, Carroll's 1930 Statutes, open season on quail or bob white, changing the season.

S. B. 102. An Act relating to the creation of water dis-

tricts in counties, etc., water commissioners to select their own counsel.

S. B. 142. An Act relating to wild turkey, imported pheasant or Hungarian partridge.

H. B. 318. An Act to amend and re-enact Section 2625, K. S. by Carroll, pertaining to Druggists.

H. B. 13. An Act to amend and re-enact Sections 4880, 4882, 4914 and 4941 of Carroll's Kentucky Statutes, edition of 1930, being Sections of the Workmen's Compensation Law of Kentucky.

S. B. 26. An Act relating to the Primary System of Roads and Highways.

S. B. 33. An Act relating to the Primary System of Roads and Highways.

S. B. 30. An Act relating to the Primary System of Roads and Highways.

S. B. 28. An Act relating to the Primary System of Roads and Highways.

S. B. 25. An Act relating to the Primary System of Roads and Highways.

S. B. 47. An Act relating to the Primary System of Roads and Highways.

S. B. 56. An Act relating to the Primary System of Roads and Highways.

S. B. 49. An Act relating to the Primary System of Roads and Highways.

S. B. 38. An Act relating to the Primary System of Roads and Highways.

S. B. 63. An Act relating to the Primary System of Roads and Highways.

S. B. 45. An Act relating to the primary System of Roads and Highways.

S. B. 37. An Act relating to the Primary System of Roads and Highways.

S. B. 61. An Act relating to the Primary System of Roads and Highways.

S. B. 27. An Act relating to the Primary System of Roads and Highways.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found the be correctly enrolled and thereupon the Speaker, in open session and in the presence of the House affixed his signature thereto.

Ordered that said bills which originated in the Senate be delivered to the Enrolling Clerk of the Senate.

Ordered that the Enrolling Clerk of this House deliver said bills which originated in this House, to the Senate.

After a time the Enrolling Clerk delivered the original and enrolled copies of said bills, duly signed by the President of the Senate into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bills to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Dr. Hill moved that the Rules of this House be suspended, in order that the provisions of a resolution, adopted by this House at its Extraordinary Session of 1933, may be carried out.

Said motion was agreed to.

Said resolution, as adopted by this House at the Extraordinary Session of 1933, is as follows, viz.:

WHEREAS, on the 19th day of July, 1933, the Honorable Mary Elliott Flanery departed this life at her home in Catlettsburg, Kentucky; and,

Whereas, she was a former member of this body, serving as Chairwoman of the democratic caucus and member of the 1922 session; and,

Whereas, she was a pioneer in public service among the women of the South and the first woman elected to any Legislature south of the Mason and Dixon Line; and,

Whereas, by reason of the foregoing facts it is fitting that this body pay some tribute to her memory; Now, Therefore,

Be it Resolved by the House of Representatives of the Commonwealth of Kentucky:

FIRST: This body mourns the passing of this distinguished woman legislator and extends to her bereaved husband and children its deepest sympathy.

SECOND: That as a fitting tribute to her memory, permission is given her relatives and friends to place in the desk occupied by her at the 1922 session of this body, some modest plate or marker, the size and design of which shall first be

approved by the Speaker of this body and the Custodian of Public Buildings.

THIRD: That a copy of this resolution, attested by the Clerk of this body, be sent to the members of her family, a copy given to the press and that same be spread at large on the Journal.

Thereupon in an impressive ceremony, a suitable marker was placed upon the desk formerly occupied by the Hon. Mrs. Flanary.

A message was received from the Senate announcing that they had passed a bill which originated in the Senate, entitled:

S. B. 54. An Act providing for the construction, operation and maintenance of a bridge across the Kentucky River at Frankfort, Kentucky.

Ordered that said bill be printed and referred to Committee on Rules.

Dr. Hill moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

WEDNESDAY, MARCH 7, 1934.

The House was opened with prayer by the Reverend Olaf Anderson of the Presbyterian Church, South, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

Henry H. Allen
Carroll D. Asbury
Levi Baker
Harold L. Barnes
Marshall Barnes
Robert E. Beatty
B. F. Bedford
Wm. B. Belknap
Reuben J. Boling
O. J. Bowen
Jas. C. Bright
Corbett Brown
Wallace Brown
Frank C. Bruton
Hugh K. Bullitt
Mrs. Cecil Cantrill
Charles Chandler
J. A. Coleman
Sidney J. Collins
D. B. Coughlin
Joel T. Crenshaw
Carroll L. Cropper
G. Cunningham
W. J. Curtis
Harry Davis
R. A. Demunbrun
S. S. Dickson
George Dunlap
Garland Embry
Clarence E. Evans
Rudy Ferguson
T. P. Fitzpatrick
J. B. Floyd
Kelly J. Francis
L. J. Gammon
W. J. Garnett
Ralph Gilbert
Ferd A. Gnau
C. Gottschalk
J. S. Hall
W. Yancey Handy
Judson Harmon
Frank Harris
R. M. Harrison, Jr.
J. Joseph Hettinger
Dr. A. L. Hill
John R. Hobbs
G. W. Howard
Ira W. Hulette
G. C. Johnson
T. M. Johnson
F. P. Kessee
J. H. King
Leo King
John Kirtley
W. L. Knuckles, Jr.
Glenn W. Lane
Alden L. Love
M. T. McCarthy
George R. McIntosh
Herschel McKinley
C. C. McMasters
Roy McWaters
C. C. May
J. S. Mattingly
L. B. Meadors
G. Samuel Milam
Clarence Miller
H. H. Miller
W. H. Miller
James B. Milliken
Tyler Munford
Rodes K. Myers
Richard H. Nufer
Robert A. Persky
James I. Peters
M. D. Phelps
Steve Pieratt
Kleber F. Price
G. M. Pritchett
Pat Rankin
Waylon Rayburn
W. P. Renfro
L. D. Sandlin
Avery Sartin
Jos. W. Schneider
Mrs. M. B. Scott
Harry Sparks
Lafe J. Spencer
Lyle C. Tackett
John W. Taylor
Elmore J. Thomas
Harry B. Thornton
J. Sterling Towles
Starling B. Tracy
Henry T. Ward
Robert E. Webb
J. B. Wicker
B. M. Williams
W. E. Rogers, Spr.

Mr. Rayburn moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Hobbs moved that the privilege of the floor be extended to Mr. Will Bush.

Said motion was agreed to.

Mr. Nufer moved that the privilege of the floor be extended to Mr. and Mrs. Henry Nufer and Mr. Warwick Anderson.

Said motion was agreed to.

Mr. H. L. Barnes moved that the privilege of the floor be extended to Messrs. John Buckman, John W. Snyder, and William Thompson.

Said motion was agreed to.

Mr. Towles moved that the privilege of the floor be extended to Senator W. V. Richardson and R. L. Salter of Danville, Kentucky.

Said motion was agreed to.

Mr. Belknap offered the following resolution, viz.:

Whereas, Capt. Daniel G. Parr, now deceased, was the largest contributor in the purchase of the present Confederate Home; and,

Whereas, there is now a bill pending before this Legislature authorizing the sale of the said Home; and,

Whereas, Mrs. W. F. Marshall, is the only surviving child of said Parr, and is anxious to obtain possession of the above mentioned picture and other furnishings contributed by her father as keepsakes; Now Therefore,

Be it Resolved by the House of Representatives, That

when said buildings are abandoned as a Confederate Home, that the Custodian, or whoever conducts the sale of said property, be authorized, upon proper proof to deliver to the said Mrs. W. F. Marshall the picture of her father and such other furnishings as were donated by him.

Said resolution was adopted.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Demunbrun:

H. B. 855. An Act providing that county school boards shall levy a tax of seventy-five (75c) cents on each one hundred dollars of taxable property within the district or county and providing that the money shall be paid into the state school fund to be then distributed to the counties of the state on the per capita basis.

By same:

H. B. 856. An Act creating and establishing as a part of the primary system of highways of the Commonwealth of Kentucky a road beginning at Cedar Graveyard in Logan County and running to a point known as Johnson's Old Stand on the Morgantown-Russellville road in Butler County.

By Mr. Gottschalk:

H. B. 857. An Act to amend and re-enact Section 513 Kentucky Statutes (Carroll's Edition 1930), relating to Indexing of Conveyances.

By Mrs. Cantrill:

H. Res. 73. Resolution instructing the Auditor to pay the Pastors of the Frankfort Churches the sum of $50.00 for services to the Legislature.

To Committee on Rules.

Dr. Hill moved that the Rules be suspended and that the House proceed to the consideration of the Orders of the Day.

Said motion was agreed to.

Thereupon the House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 404. An Act whereby the sense of the people of any county may be taken as to whether or not they desire the licensing of dogs and protection of live-stock.

H. B. 603. An Act to amend Section 2380, subsection 34, Baldwin's Revision of Carroll's Kentucky Statutes (1930), being Chapter 3 of the Acts of the General Assembly of the Commonwealth of Kentucky, etc.

H. B. 689. An Act to repeal and re-enact Chapter 133 of the Acts of the 1932 General Assembly, being Sections 125b-4a, 125b-4b, etc., creating the office of District Detective to the Commonwealth's Attorney.

H. Res. 66. Resolution authorizing Carl Wright to sue the Commonwealth.

H. B. 731. An Act to license the issuance and redemption of any trading stamps by any trading stamp company, person, etc.

H. Res. 55. A Joint Resolution providing for the pay-

ment of money to G. W. Lawrence, etc., for extra services in caring for the offices in the State Capitol Building.

H. B. 489. An Act relating to the retirement of outstanding interest-bearing state warrants against the general fund and the duties and powers of the Commissioners of the Sinking Fund in relation thereto.

H. B. 443. An Act providing for pension of $20.00 per month to Confederate veterans and their widows.

H. B. 827. An Act relating to the Primary System of Roads and Highways.

H. B. 836. An Act relating to the Primary System of Roads and Highways.

H. B. 837. An Act relating to the Primary System of Roads and Highways.

H. B. 839. An Act relating to the Primary System of Roads and Highways.

H. B. 840. An Act relating to the Primary System of Roads and Highways.

H. B. 841. An Act relating to the Primary System of Roads and Highways.

H. B. 842. An Ace relating to the Primary System of Roads and Highways.

H. B. 848. An Act relating to the Primary System of Roads and Highways.

H. B. 849. An Act relating to the Primary System of Roads and Highways.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles, only.

Ordered that said bills be placed in the Orders of the Day.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 249. An Act providing for an adequate, unified, and integrated system of financial and business administration for the State government, embracing budgeting, accounting, pre-auditing, treasury administration, post-auditing, and fiscal reporting; prescribing additional duties for the State Inspector and Examiner; creating the office of State Budget Officer and prescribing his duties; providing for clerical and other help and for the fixing of salaries, providing penalties for the violation of the provisions of this Act, and repealing all laws and parts of laws inconsistent herewith.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

ARTICLE I.—SHORT TITLE AND DEFINITIONS.

§ 1. *Short Title.* This act shall be known, and may be referred to, as the "Budget and Financial Administration Act of 1934."

§ 2. *Definitions of Terms.* For the purposes of this act and unless otherwise required by the context:

(a) "Appropriation" means an authorization by the General Assembly to a budget unit to expend from public funds, a sum of money not in excess of the sum specified, for

the purposes specified in such authorization, under the procedure herein prescribed.

(b) "Appropriation act" means an act of the General Assembly that authorizes the expenditure of State money.

(c) "Budget" means the complete financial plan for each fiscal year as proposed in the budget report and modified and adopted by means of the appropriation and revenue acts.

(d) "Budget class" means one of the kinds of expenditure denoting a class of services or commodities purchased or properties acquired as specified in the classification of expenditures prescribed as provided herein, for use in expenditure accounting, in the making of budget estimates, and in the budget reports and budgets.

(e) "Budget estimates" means the statements with its accompanying explanations, as provided herein, in which a budget unit states its financial requirements and requests appropriations.

(f) "Budget report" means the recommendations of the Governor to the General Assembly, as to financial plans and expenditures to be authorized, with the accompanying statements and explanations, prepared as provided herein.

(g) "Budget unit" means a department or other unit of organization, for which separate appropriations are made from those for any other organization unit.

(h) "Capital outlays" means the exchanges of values involved in acquiring lands, buildings, equipment, or other permanent properties, or in their construction or development or permanent improvement.

(i) "Disbursements" means cash actually paid out for any or all purposes.

(j) "Employee" means the lawful incumbent of a position as defined herein.

(k) "Expenditures" means expenses and capital outlays.

(l) "Expenses" means values consumed in maintaining, managing, and operating government services, in contributing to the cost of maintaining and operating public services supported in whole or in part by the Commonwealth, and in providing in accordance with law for any grants, aids, relief, or compensation to individuals, whether such values are represented by cash paid out or by obligations to pay cash, or partly by each.

(m) "Position" means any office or employment, or combination of them, in the service of the Commonwealth, involving duties to be performed and responsibilities to be exercised by one person.

(n) "Receipts" means cash actually received from any or all sources.

(o) "Revenues" means values accruing without resultant increase in liabilities or decrease in assets, whether such values are represented by cash actually received or by amounts due and payable, or partly by each.

(p) "Operating receipts" means cash received by a budget unit for services rendered, or from the sale of materials, goods, or supplies created by the budget unit.

(q) "Revolving Fund Account" means a state treasury account accruing to the credit of a budget unit from operating receipts, fees, gifts, or appropriations which may be used in defraying maintenance and operating expenses of activities and agencies which are in whole or in part self-supporting.

ARTICLE II.—ORGANIZATION FOR FINANCIAL ADMINISTRATION.

§ 1. *Auditor of Public Accounts.* The Auditor of Public Accounts shall continue to audit, adjust and settle all claims against the State and issue warrants for the payment thereof as hereinafter provided. He shall keep an account with each appropriation of public funds and shall limit disbursements to the amounts and for the purposes for which appropriations are made.

§ 2. *State Budget Officer.* There is hereby created the office of State Budget Officer and the State Inspector and Examiner shall be the State Budget Officer. He shall have such functions, powers, and duties as are conferred upon him by the Administrative Reorganization Act and as are hereinafter conferred upon him. The State Budget Officer shall upon the advice and consent of the Governor, employ such clerical and other help as may be needed, and may so fix their salaries.

§ 3. *Board of Finance.* The Department of Finance and Budgetary Control hereinafter referred to as the Board of Finance, shall have and exercise all the functions, powers and duties conferred upon said Board by the Administrative Reorganization Act and shall have such additional functions, powers, and duties as are by this act conferred upon it. Said Board shall approve State depositories before they may receive deposits of State funds, and shall have power to hear and determine appeals from acts or decisions of the State Budget Officer; to conduct hearings, to determine facts, and to make decisions in cases brought before it on the record or for hearing by the State Budget Officer in any matters involved in the conduct of the fiscal affairs of the State. Its decisions so made shall be binding, subject to all further rights of action and judicial review that may be provided by law. Neither the Board nor any member thereof shall have power to direct the action of any officer or employee in the conduct of the work of the department, nor to take any other action, except by vote in meeting assembled.

ARTICLE III.—BUDGETING.

§ 1. *Expenditures to be authorized by Annual or Biennial Appropriation Acts.* All expenditures of the Commonwealth and of all the budget units thereof shall be made by virtue of the authority of an annual or biennial appropria-

tion act or appropriation acts, which shall be based upon a budget prepared as set forth in this act.

§ 2. *Biennial Budget Report.* The Governor, by and with the advice and assistance of the State Budget Officer and the Board of Finance shall biennially prepare and submit to each and every regular session of the General Assembly, a budget report presenting a complete financial plan for each fiscal year of the ensuing biennium, for adoption either with or without amendments and modifications by the General Assembly. Said budget report shall be prepared as set forth in this act.

§ 3. *The Appropriation and Revenue Acts, the State Budget and Budgetary Allotment.* The financial plan for each fiscal year as presented in the budget report with such modifications as may be determined by the General Assembly shall be adopted and made effective by the passage of an appropriation act or acts and such revenue and other acts as may be necessary for the purpose. The appropriation act or acts shall authorize the maximum amount to be expended in addition to the net balance of the operating receipts by each budget unit for all its ordinary recurring expenses of operation and maintenance, and for each item of extraordinary expenses and capital outlay for the year, in accordance with the detained financial plan set forth in the budget report as modified by the General Assembly.

§ 4. *Contents of Biennial Budget Report.* Each biennial budget report shall present a complete financial plan for each fiscal year of the ensuing biennium. It shall include:

(a) A budget message signed by the Governor, giving a summary description of his proposed financial policies and plans and explaining the more important features of the proposed financial and operating programs and their anticipated effects on the Commonwealth's finances and welfare.

(b) Summary statements of the financial condition of the Commonwealth, to include (1) a comparative consolidated

current account balance sheet showing all the current assets and liabilities of the Commonwealth and the current account surplus or deficit, as the case may be, at the close of each of the two fiscal years last concluded; (2) summary statements of fund balances showing in detail for each fund the current account surplus or deficit at the beginning of each of the two fiscal years last concluded, the actual income of that year, the total net appropriation of that year, the total expenditures of that year; and (3) similar summary statements of the estimated fund balances for the current fiscal year and each of the two ensuing fiscal years. These several statements of the financial condition of the Commonwealth shall be accompanied by such detailed schedules of assets and liabilities as may be deemed desirable by the Governor.

(c) Statements of income and receipts for each of the two fiscal years last concluded, and the estimated income and receipts of the current fiscal year and of each of the two ensuing fiscal years. The statements of income and estimated income shall be itemized by sources, by organization units and sources, and by funds and sources. The statements of receipts and estimated receipts shall be itemized by organization units and sources, and funds and sources, and shall show separately, receipts from current income, receipts from refunds and reimbursements of expenditures, receipts from sale of assets, and receipts on account of the income of prior years, all detailed by sources. Existing sources of income and receipts shall be analyzed as to their equity, productivity, and need for revision, and any proposed new sources of income or receipts shall be explained.

(d) Summary statements of expenditures and disbursements for each of the two fiscal years last concluded, which shall be itemized by budget units under functional heads, and shall show the amounts expended and disbursed, respectively, for each major function of government.

(e) A statement of the surplus account for the general

fund and for each special fund. Each surplus account shall show (1) the excess of all current assets over all current liabilities as of the beginning of each of the two fiscal years last concluded, and (2) all changes in each surplus account during each of such two fiscal years.

(f) A statement as of the close of the last completed fiscal year and as of the close of the current fiscal year, showing (1) the total funded debt, (2) the value of sinking fund assets, (3) the net funded debt, (4) the floating liabilities as of the close of the last completed fiscal year and the estimated floating liabilities as of the end of the current fiscal year, and (5) the total debt as of the close of the last completed fiscal year and as of the close of the current fiscal year.

(g) Detailed comparative statements of expenditures and requests for appropriations by funds, budget units, and budget classes, showing the expenditures for each of the two fiscal years last concluded, the budget of the current year, and the requests of each budget unit and the Governor's recommendations for appropriations for each of the two ensuing years, all distributed according to budget classes of ordinary recurring expenses of operation and maintenance, and of extraordinary expenses and capital outlays. Following the lists of actual and proposed expenditures of each budget, there shall be a brief explanation of the functions of the unit and comments on its policies and plans and on any considerable differences among the amounts expended, the amounts requested, and the amounts recommended, with such descriptive, quantitative, comparative and other data as to work done, unit costs, and like information, as is considered necessary or desirable. In connection with each budget class of capital outlays, involving construction projects to be completed in two or more fiscal years, there shall be shown the total estimated costs of each such project and the amount thereof recommended to be appropriated and expended in each ensuing fiscal year until completion of the project.

(h) A summary statement for each fund of the cash resources estimated to be available at the beginning of each of the two fiscal years next ensuing, and the estimated cash receipts of the fiscal year, as compared with the total recommended amounts of appropriation for all budget classes for the year, and if the total of the recommended expenditures exceeds the total of the estimated resources, recommendations as to how the deficiency is to be met and estimates of receipts from any proposed addition revenues.

(i) A draft of a proposed appropriation act or acts embodying the governor's recommendations for appropriations for the ensuing fiscal year and drafts of such revenue and other acts as may be recommended for putting into effect the proposed financial plan. The recommended appropriations for ordinary recurring expenses shall not be itemized by budget classes in the appropriation acts but by budget units, and the amount of each of such recommended appropriations shall be the total of the recommended amounts for the budget classes in the group covered by the appropriation. Recommended appropriations for extraordinary expenses and capital outlays shall be itemized in the appropriation act by budget classes and the title of each budget class shall be supplemented by such wording as is needed to limit each appropriation to the specific use or purpose intended. In connection with each suggested appropriation for capital outlays, the draft of the appropriation act shall specify the total amount to be appropriated for the total estimated cost of each such project, and the amount recommended for appropriation for each fiscal year thereafter until the completion of the project. The recommended appropriation for each budget unit shall be specified in a distinct and separate section of the appropriation act. The total amount of appropriations recommended from any fund shall not exceed the cash resources as estimated by the Governor, to be available and to become available to meet expenditures under such appropriations.

(j) A certificate or certificates of the State Auditor as

to the accuracy of the statements of financial condition and of income and receipts and expenditures and disbursements.

(k) Such other information as the Governor may deem desirable or as may be required by law.

§ 5. *State Budget Officer to Prescribe and Furnish Forms to Budget Units.* It shall be the duty of the State Budget Officer to prescribe the forms to be used by the budget units in submitting their budget estimates and requests for appropriations in accordance with the provisions of this act, and to prescribe such rules and regulations as he may deem necessary for the guidance of officials in preparing such budget estimates and requests. On or before the fifteenth day of October of each year, immediately preceding the year in which the General Assembly convenes in regular session, the State Budget Officer shall transmit or cause to be transmitted to the administrative head of each budget unit, (a) at least two complete sets of the prescribed forms on which budget estimates and requests for appropriations for the next two ensuing fiscal years are to be submitted, (b) a copy of the complete statement of the expenditures of such unit as furnished by the State Budget Officer to aid the administrative head in preparing his estimates and statements, and (c) instructions as to the preparation of each of the required statements.

§ 6. *Heads of Budget Units to Submit Budget Statements and other Data on Prescribed Forms.* The head of each budget unit, not later than the fifteenth day of November of each odd-numbered year, shall submit to the State Budget Officer, estimates of the financial requirements and of the receipts of each budget unit for the next two fiscal years, on the forms and in the manner prescribed by the State Budget Officer, and accompanied by such explanatory data as may be required by him, together with such additional information as the head of the budget unit may wish to submit. The estimates so submitted shall bear the approval of the boards or

commissions of budget units for which such boards or commissions are constituted.

§ 7. *Continuous Financial Planning.* The State Budget Officer shall have in continuous process of preparation and revision, in the light of his direct studies of the operations, plans, and needs of budget units and of the existing and prospective sources of income, a tentative budget report for the next ensuing biennium for which a budget report is required to be prepared. Upon receipt of the estimates of the several budget units, he shall check these estimates in the light of his own information, and shall make such further inquiries and investigations and revise his tentative budget report as he deems warranted. Such tentative budget report, when approved by the Board of Finance, shall be certified to the Governor, together with the budget statements provided in Section 6.

§ 8. *Duties of the Govrenor in Preparing the Budget Report.* The Governor, during the progress of preparation of the Budget report and prior to its submission to the General Assembly, shall examine the statements and estimates and shall make or cause to be made such further investigations by the State Budget Officer, with such hearings before the Governor, the Board of Finance, or other agency, as he may deem advisable, and shall direct such changes or revisions in policy and program and in specific details, as he may find warranted.

§ 9. *Means of Informing Governor-Elect as to Budget Proposals.* The Governor-Elect shall be entitled to examine the budget report in process and the State Budget Officer shall provide him with every practicable facility for familiarizing himself with its contents. Such Governor-Elect shall be entitled to a seat in all hearings thereon. He shall be furnished a copy of the budget report as approved by the Governor.

§ 10. *Budget Report to be Printed and Transmitted to House of Representatives.* The State Budget Officer shall

have the budget report, as approved by the Governor, printed in such number of copies as the Governor may order, and copies thereof shall be transmitted to the House of Representatives not later than the third Monday after the convening of the General Assembly in regular session.

§ 11. *State Budget Officer to Serve Appropriation Committees.* From the time of the transmission of the budget report to the House of Representatives until the appropriation bill or bills shall have been finally disposed of, the State Budget Officer, in person or by an assistant, shall be at the disposal of the General Assembly and the appropriation committees thereof, and shall devote so much of his time as may be required to the work of the appropriation committees, under the direction of the respective chairman.

§ 12. *Appropriation of Preceding Year Continued under Certain Conditions.* In the event that the General Assembly shall fail to make an appropriation for any fiscal year for any purpose or purposes required to be executed by provisions of existing laws, or the Governor shall veto an appropriation essential to the carrying out of any such purpose or purposes, then and in that event, an appropriation equal in amount to the appropriation made or deemed to have been made under the provisions of this section, for such purpose or purposes for the fiscal year next preceding, exclusive of any such appropriations for extraordinary expenses and capital outlays, shall be deemed to have been made and shall continue available from year to year until an appropriation shall have been made as provided in this act and shall become effective. In case any such appropriation for the fiscal year next preceding is applicable alike for ordinary recurrent expenses, extraordinary expenses, and capital outlays, the Board of Finance shall determine in what proportion thereof shall be deemed under the provisions of this section to have been made by the General Assembly for the next fiscal year. Each appropriation or the proportion of each appropriation that shall be continued under the provisions of this section shall

be included in the budget by the State Budget Officer and shall be made available for expenditure by allotments as in this act provided.

§ 13. *Transfers Among Appropriations for Different Budget Classes of One Department.* Transfers among appropriations to the several budget classes in any one department of the Government service may be authorized by the Board of Finance; and the Auditor of Public Accounts, and the State Treasurer, shall be advised immediately of such authorizations.

§ 14. *Revolving Fund Accounts.* Revolving fund accounts may be established by appropriations for financing the operations of industries, farms, hospitals, sanitoria, dining halls, dormitories, book stores, refreshment booths, athletics or other activities self-supporting in whole or in part and/or by depositing the operating receipts of such activities and agencies in the State Treasury to the credit of such revolving fund account. The head of the budget unit, the Treasurer or other authorized fiscal agent of the unit or any division thereof responsible for the collection of receipts, shall deposit with the State Treasurer, all receipts from the operations of all such activities so financed and also receipts from every other source, including tuition and incidental fees, from Federal appropriations or gifts, donations or devices; all such funds shall be credited by the State Treasurer to a revolving fund account for each budget unit or division thereof, as directed in writing by the head of such budget unit or division thereof, and the auditor of Public Accounts shall keep a separate and distinct account for each such revolving fund, Federal appropriation, gift, donation or devise.

The amounts so credited to any revolving fund so provided may be expended for the purposes thereof, together with any amount appropriated therefor, without further specific appropriation. All monies, other than direct appropriations from the State, received for each such fund shall at all times be reserved in the State Treasury, available for

disbursement for the purpose of the fund in the manner provided by law and shall not be diverted temporarily or otherwise to any other purpose except such amount or amounts as are over and above maintenance and operating costs of activities and agencies so financed and State appropriation or appropriations to such revolving funds. Such net balance over and above all maintenance and operation costs and direct appropriation or appropriations to such revolving fund may upon the order of the board of finance be covered into and become a part of the ordinary recurring expense fund of the budget unit or division thereof. Such revolving funds shall be subject to withdrawal from the State Treasury by the head of each budget unit or division thereof, when and as the same are actually needed, on requisition to the Auditor of Public Accounts in the same manner as is herein provided for the withdrawal of other State funds.

§ 15. *Authorization of Capital Outlays over* $10,000.00 *by Board of Finance.* No work shall be commenced and no contract shall be entered into for the improvement of lands or the construction, alteration, reconstruction, or repair of any building or other structure, sewage disposal or water supply system, or any road or bridge, except roads and bridges under the jurisdiction of the State Department of Highways, involving an expenditure of more than Ten Thousand Dollars ($10,000.00) from the State Treasury under any appropriation made by the General Assembly, until the plans and specifications, estimates of cost, and the bids received, covering the entire work contemplated, and the proposed contract or contracts therefor, have been submitted to the Board of Finance, and the execution of such contract or contracts, or the undertaking of such work has been approved and authorized by such Board. The Board shall not so approve nor authorize any contract nor the undertaking of such work in any such case in which it finds from the plans, specifications, estimates, and bids therefor or otherwise: (a) that

the cost of completing the work contemplated will exceed the amount of appropriation therefor, or (b) that the work contemplated will be insufficient for the purposes for which said appropriations were made or (c) that after providing for the ordinary recurring expenses of government and for debt service, and for payments under existing allotments for extraordinary expenses and capital outlays, cash will not be available in the Treasury promptly to pay for such work during the biennium.

§ 16. *Authorization of Capital Outlays under* $10,000.00 *by Governor.* No capital outlay shall be permitted without approval of the plans and release of the appropriation by the Governor, if the amount involved does not exceed $10,000.00, and such approval shall be accorded only if the plans carry out the intent of the General Assembly as indicated by the appropriation act or acts, and if the State Budget Officer is satisfied that cash will be available to meet such outlays. The provisions of this section shall not apply to capital outlays of the State Department of Highways for roads and bridges.

§ 17. *Budget to Govern the Allotting of Appropriations; Permissible Deviations.* The heads of the budget units, the State Budget Officer, the Board of Finance, and the Governor, in allotting appropriations for expenditure, shall be governed by the work plans formulated by the heads of the budget units as shown in the detailed budget estimates as amended by the General Assembly, and shall make allotments semi-annually to permit the carrying out of such except as deviations therefrom are made necessary by changes in conditions of operations, to meet unforseen contingencies, to correct errors, and to avoid cash deficits.

§ 18. *Allotments to Govern Expenditures; Permissible Transfers within Allotments.* The heads of the budget units shall hold to the work plans and detailed expenditure estimates as authorized and approved on advices of allotments, except as deviations therefrom are made necessary by changes

in conditions of operations, to meet unforseen contingencies, and to correct errors. In no case shall obligations be incurred or expenditures made in excess of the total amounts allotted. Transfers from an allowance for one budget class to an allowance for another budget class within the same budget unit, may be authorized by the administrative head of the budget unit to which the allotment was made, if approved by the Board of Finance, and provided that the Auditor of Public Accounts and the State Budget Officer shall be promptly advised of all such transfers thus authorized.

§ 19. *Interpretation of Items in Appropriation Acts.* All questions which may arise as to the meaning of items specified in any appropriation act or in the budget, shall be decided by the Board of Finance in accordance with the detailed estimates or other information embodied in the budget report as considered by the General Assembly, and the decision of the Board shall be final and conclusive.

§ 20. *Head of any Budget Unit May Appeal to Board of Finance: When.* The head of any unit aggrieved by any decision of the State Budget Officer as to the amount of any allotment for a specified period or as to the purposes for which monies allotted may be expended, may appeal therefrom to the Board of Finance, and the decision of such Board shall be final and conclusive.

ARTICLE IV.—CONTROL OF THE INCURRING OF OBLIGATIONS.

§ 1. *Commitments to be Evidenced by Vouchers.* No disbursements in payment of liabilities incurred, except liabilities representing the expenses of the General Assembly, salaries of elected State officers, and special grants or orders of the General Assembly, shall be made from any appropriation or fund, other than petty cash funds, unless there has been previously filed with the State Budget Officer commitment statements as follows:

(a) For personal services of officers and employees of

the Commonwealth, except elected officers, an advice of employment for each such officer and employee, which advice shall give the name of the budget unit, the name of the officer or employee regularly appointed to a position in the unit, the rate of pay, the date from which the employment takes effect, and the appropriation or appropriations to which payment of the salary or wages are to be charged; and the responsible head of the budget unit shall certify that the information contained in the advice is true and correct; or

(b) Copies of the purchase orders or contracts under which the obligations are incurred, which purchase orders or contract shall specify (1) the work to be done or the services to be rendered, the unit cost or rate of payment, and the estimated total cost, or (2) the kind of commodities to be supplied, and the quantity, grade, or quality, unit price and estimated cost of such commodities; or

(c) Where it is not possible or practicable to issue a purchase order or to complete a contract, a requisition in writing shall be made on the Auditor of Public Accounts, describing in detail the nature of the commitment entered into or the obligation incurred or a letter of travel authorization for travel outside of Kentucky, stating the unit cost and the total cost involved and requesting reservation of the sum of money necessary to discharge the obligation.

§ 2. *Form of Commitment Vouchers to be Prescribed by State Budget Officer: Forms to be Used, How.* It shall be the duty of the State Budget Officer to prescribe a form of advice of employment, a form of purchase order and a form of requisition for the reservation of funds. All commitments shall be authorized on such forms by the heads of the budget units in conformity with the provisions of this act, and copies of all such authorizations shall be transmitted immediately to the Auditor of Public Accounts and to the State Budget Officer.

§ 3. *Designation of Officers, or Employees Authorized*

to Sign Commitment Vouchers. It shall be the duty of the administrative head of each budget unit to designate the officer or employee authorized to sign advices of employment, copies of purchase orders and contracts, requisitions for reservation of funds, and letters of travel authorization for travel outside of Kentucky, and no such advice, order, contract or requisition shall be honored as a commitment statement unless such designation with a copy of the signature of such officer shall be on file in the office of the State Budget Officer.

§ 4. *Duty of the Auditor with Respect to Authorized Commitments.* Every advice of employment, copy of purchase order or contract requisition for reservation of funds, or letter of travel authorization for travel outside of Kentucky, provided for under this act, immediately upon its receipt in the office of the Auditor, shall be stamped with the date of its receipt and be examined by the Auditor or an assistant designated by him, within the next business day after being so received. The Auditor shall ascertain whether or not the proposed expenditures are authorized by the appropriations and allotments to which it is proposed to charge them, and that the amounts involved do not exceed the unencumbered balances of such allotments. If any proposed expenditure cannot be approved by the Auditor under the provisions of this act, he shall promptly notify the head of the budget unit concerned that the proposed expenditure is disallowed. The Auditor shall cause to be stamped on, or attached to, each approved commitment voucher, a certificate by himself or his authorized agent as follows:

"I certify that this voucher has been examined, that the proposed expenditure is authorized by appropriation and allotment and does not exceed the unencumbered balance of the allotment to which it is properly chargeable, and that the total estimated cost has been entered as a charge against (here insert the designation of the proper allotment)."

§ 5. *Commitments in Excess of Allotments Not to be Approved.* In no event shall the head of any budget unit, either by himself or through any assistant designated by him, approve any advice of employment, purchase order, contract, requisition for reservation of funds, letter of travel, authorization for travel outside of Kentucky, which will involve an expenditure of any sum in excess of the unencumbered balance of the allotment to which the resulting expenditure will be chargeable.

§ 6. *Unauthorized Obligation.* No person shall incur or order or vote for the incurrence of, any obligation against the Commonwealth in excess of, or for any expenditure not authorized by appropriation, allotment, and approval of a commitment voucher, as provided herein, except as expressly authorized in this act. Any such obligations so raised in contravention of this act, shall not be binding against the Commonwealth, but shall be null and void *ab initio* and incapable of ratification by any administrative authority of the Commonwealth to give effect thereto against the Commonwealth. But every person incurring, or ordering or voting for the incurrence of, such obligation, and his surety or sureties, shall be jointly and severally liable therefor.

§ 7. *Anticipated Expenses; Powers of Board of Finance.* The Board of Finance is hereby authorized to grant special authority for any budget unit, during any fiscal year, to make specific purchases of supplies or materials to be used in the ensuing fiscal year or to enter into contracts in anticipation of appropriations already made for the next ensuing fiscal year, or in anticipation of appropriations to be made for the ensuing fiscal year for any purpose for which there is existing law. Purchases or contracts made before the close of a fiscal year under such authority shall be treated as deferred charges to the appropriations and expenses of the next ensuing fiscal year.

ARTICLE V.—STATEMENTS OF INDEBTEDNESS AND CERTIFICATION OF CLAIMS.

§ 1. *State Budget Officer to Prescribe Forms of Statements of Indebtedness: Forms to be Used, How.* It shall be the duty of the State Budget Officer to prescribe the forms upon which shall be rendered all statements of indebtedness chargable against the appropriations and allotments to any budget unit which forms of statement of indebtedness shall be the only forms which shall be used for presentation of claims for payment of such indebtedness of the Commonwealth provided that a special form of statement of indebtedness or payroll shall be required for all salaries or compensations that have been previously fixed and determined and are covered by appropriations and further provided that the Budget Officer shall prescribe appropriate forms for statements of indebtedness of one budget unit to another budget unit, designed to effect settlement thereof through debit and credit entries in the general accounts of the State. Statements of indebtedness other than for the salaries of regular employees of the Commonwealth shall not be accepted for audit and payment unless such statement of indebtedness indicates the serial number of the purchase order, contract, requisition for reservation of funds or letter of travel authorization for travel outside of Kentucky, under which such indebtedness was incurred.

§ 2. *Pre-Audit of Statements of Indebtedness.* The State Budget Officer shall prescribe the forms on which statements of indebtedness of every kind, including indebtedness for the salaries of officers and employees, shall be presented, and it shall be the duty of the Auditor to examine all such statements so presented and if found correct, to file them and issue warrants to the State Treasurer. All claims against the State shall be paid by the State Treasurer on the warrants of the Auditor of Public Accounts. Payments may be made direct by the State Treasurer to the persons entitled

to receive them, by mail or otherwise, or through the head of the budget units which incurred the expenditures. The Auditor of Public Accounts shall not certify any claim whatsoever to the State Treasurer until he is satisfied that to meet said claim, there is a sufficient balance of the sum appropriated to the budget unit from which such claim may be paid.

§ 3. *Compromise of Disputed Claims.* The Board of Finance, upon the request of the Auditor and approval of the Attorney General, may authorize the compromise of any disputed claim by or against the Commonwealth, or any budget unit thereof, and shall certify to the Auditor of Public Accounts, the amount to be received or paid under such compromise.

§ 4. *No Public Money to be Withdrawn from Treasury Except as Provided.* No public money shall be withdrawn from the Treasury for any purpose whatsoever unless it shall have been appropriated by the General Assembly or be a part of a Revolving Fund, and allotted as in this act provided, and for the purpose for which its withdrawal is proposed, and unless the expenditure thereof has been authorized by the administrative head of the budget unit and the State Budgt Officer advised of such authorization, and unless a statement of indebtedness has been submitted to, and approved by, the Auditor, and then only on the warrant of the Auditor of Public Accounts, as in this act provided. The provisions of this Section shall not be construed to apply to withdrawals of funds from State depository banks for immediate re-deposit in other State depository banks.

§ 5. *Warrants to Specify appropriations against which Drawn; Acceptance of Warrants by Treasurer.* Each warrant of the Auditor of Public Accounts upon the State Treasury shall specify the particular appropriations against which it is drawn, and no money shall be disbursed by the Treasurer, unless the warrant contains such specifications. All warrants of the Auditor of Public Accounts upon the Treasury, issued

in accordance with the provisions of this act, shall, when signed by the Auditor or an assistant designated by him therefor, constitute full and sufficient authority to the Treasurer for the disbursement of public monies in the amount set forth, and the State Treasurer shall accept all such warrants and issue his check on a State depository bank in payment therefor, or if no funds are on hand, he shall stamp such warrant "interest bearing" as is now authorized by law.

§ 6. *Lapsing of Appropriations.* No officer, department, board, commission, institution, or other agency of the Commonwealth shall, after the close of any fiscal year, incur or vote or order or approve the incurring of, any obligation or expenditure under any appropriation made by the General Assembly for such fiscal year, and no expenditure shall be made from or be charged to, any appropriation made by the General Assembly for any fiscal year that shall have expired at the time the obligation for such expenditure was incurred. The Auditor of Public Accounts is authorized to draw warrants against the available balances of appropriations made for a fiscal year; for a period of three months after the close of such fiscal year, for the payment of expenditures incurred during the fiscal year for which such appropriations were made or in fulfillment of contracts properly made during such year and for no other purpose whatsoever, and the Treasurer is authorized to pay such warrants. After the expiration of such period of three months from the beginning of each fiscal year, all balances of appropriations for the prior fiscal year shall lapse and no further payments shall be made on any claims on account of expenditures of such prior fiscal year.

§ 7. *Treatment of Recoveries of Monies Paid in Error.* Whenever any payment from public monies is made in error, or for an amount in excess of the amount found to be properly due and payable, and recovery of the payment so made or the excess amount so paid is subsequently effected, the respective balances in the appropriations from which such payments were made shall be increased by the amounts received, and

said amounts shall be deducted from the disbursements from such appropriations.

§ 8. *Authorization of Forms to be Used in Financial and Business Administration.* All blank forms used or that shall hereafter be proposed for use by any or all budget units for any of the purposes herein specified shall be examined by the State Budget Officer and shall be designed or redsigned under his supervision and direction with a view to providing for the simplification, unification, and integration of all financial and business administrative records and procedures. It shall also be the duty of the State Budget Officer to prescribe, and enforce adherence to, standard sizes, colors, and designs, of forms including styles of type and qualities and grades of paper. This section shall be liberally construed to apply to all forms for use in State budgeting, accounting, pre-auditing, Treasury administration, personnel administration, purchasing, property control, and any other matter of financial and business administration of the State or any budget unit thereof.

Article VI.—Treasury Administration.

§ 1. *Collection of Fees and Other Amounts Due the State through the Several Budget Units.* Fees for licenses, permits, certificates of any kind, and all other funds due any budget unit shall be collected at the time such licenses, permits, or certificates are issued, by the budget units issuing them and such other monies accruing to the several budget units or to the Commonwealth through the several budget units shall also, so far as practicable, be collected at the times the services are rendered or at the times of accrual by the budget units rendering the services or assessing the charges or otherwise giving rise to the claims in favor of the Commonwealth; and when collections cannot be so effected, it shall be the duty of the budget units concerned, to render bills to the persons liable for the amounts due or accruing and to

collect such bills. All such bills or statements of indebtedness to the State shall be rendered on forms prescribed by the State Budget Officer. Each of the prescribed forms shall carry notice to the effect that checks and money orders be made payable to the State Treasurer. The blank forms shall be numbered and shall be issued to the budget units by the State Budget Officer, who shall record the numbers of those issued to each budget unit and shall hold the administrative head therefor accountable for each form so issued and recorded. Copies of all bills rendered as herein provided shall be kept by the budget units and copies of bills that have been paid shall be marked "Paid."

§ 2. *The Control of Receivables.* On or before the fifth day of each month in each fiscal year the head of each budget unit shall transmit to the State Budget Officer a statement showing: (1) the amount of the receivables of such unit as evidenced by copies of unpaid bills on file as of the beginning of the previous month, (2) the total income accruing to such unit during said month, whether collected or not, (3) the amount of money collected and deposited in the Treasury during said month, and (4) the total receivables as of the end of said month. To each such statement, there shall be appended a certificate by the head of the budget unit, to the effect that the statement is correct in every detail and that all amounts due said budget unit, as of the end of the previous month, have been collected or have been billed and included in the amount of the receivables as of the end of the previous month, as shown by the statement. The monthly statements herein required shall be supported in the months of July, and January of each fiscal year by detailed lists of receivables prepared by the heads of the budget units to show: (1) the name and address of each creditor, (2) the nature of the claim, (3) the amount of the claim, (4) the date the claim was due and payable, and (5) the total of all receivables so listed, which total shall be in agreement with the total re-

ceivables as shown on a relative monthly statement. A copy of each statement and list transmitted to the State Budget Officer as herein provided, shall also be transmitted to the Sate Auditor.

§ 3. *Auditor to Keep Record of Collection of Revenues.* It shall be the duty of the Auditor of Public Accounts to keep up to date, a completely detailed list of all sources from which monies accrue to the State, classified according to the budget units and other agencies responsible for the collection of public funds, so as to show for each of the several budget units and each of the other revenue-collecting agencies of the State: (1) the several kinds of taxes, fees, permits, and other public monies collected or to be collected; (2) the name of the person responsible for collecting public monies; and (3) the name of the employee or employees actually engaged in collecting, handling and depositing public monies. The Board of Finance shall see that collections are vigorously prosecuted, and to this end, it is empowered to supervise and direct the collecting and money-handling activities of all said collecting units, agencies, and employees, and to take such steps as may be deemed necessary to enforce the provisions of this act with respect to the collecting and depositing of public monies.

§ 4. *State Depository Bank: How Selected.* The State Treasurer shall recommend State Depository Banks, but they shall not be so designated nor receive deposits of State funds until approved by the woard of Finance. A list of the depository banks so designated shall be certified to the State Budget Officer and a copy thereof shall also be filed with the Auditor of Public Accounts. All public monies of the Commonwealth now in, or hereafter received into the Treasury shall be deposited in the banks so designated and in no other bank or banks.

§ 5. *Receipts of the Budget Units to be Deposited Directly in the Treasury.* No receipts from any source of State monies, or monies for which the Commonwealth is responsi-

ble, shall be held, or used, or deposited in any personal or special bank account temporarily or otherwise, by any agent or employee of any budget unit, to meet expenditures or for any other purpose except as expressly provided herein. All cash receipts of any character, of any budget unit, except as otherwise provided herein, shall be promptly paid into the Treasury in the form in which received through the Auditor of Public Accounts.

§ 6. *Petty Cash Funds.* Any budget unit may establish a petty cash fund when provided for by appropriation or when authorized by the Board of Finance, for the purpose of making disbursements requiring prompt cash outlay, but not in any case to exceed Five Thousand Dollars ($5,000.00). The State Treasurer, upon warrant of the Auditor based upon a requisition therefor from the head of the budget unit, shall pay to the head of such budget unit the amount necessary to establish such fund. The custodian designated by the head of the Budget unit shall, as often as may be necessary to replenish the fund and at least once each month, file with the Auditor a schedule of the disbursements from the fund, accompanied by appropriate vouchers and statements of indebtedness therefor, approved by the head of the budget unit, and by a certificate as to the condition of the fund. Payment on the warrant of the Auditor in the amount of the total of the approved vouchers shall be made to the custodian of the fund and the amount shall be devoted to reimbursement of the fund. Any question relative to the amount to be allowed in any petty cash fund, the expenditure thereof, the accounting therefor, and the repayment thereof to the State Trasurer, shall be determined by the Board of Finance. The amount of any petty cash fund shall lapse with the appropriation on which it is based, but such fund may be re-established by appropriation for the next ensuing fiscal year or when authorized by the Board of Finance.

§ 7. *State Budget Officer to Prescribe Form of Treasury Pay-In Vouchers: Use of such Vouchers.* The State Budg-

et officer shall prescribe the form of pay-in voucher, which shall be the only form used in depositing public monies in the Treasury. The blank forms shall be numbered and issued to the budget units by the State Budget Officer, who shall record the numbers issued to each budget unit and the administrative head thereof shall be held accountable for each form so issued and recorded.

§ 8. *Transfer of Depositories of Public Monies Among Depository Banks.* Whenever for any reason the State Treasurer shall decide to transfer any amount or amounts of deposits of public monies from one or more State depository banks to one or more other State depository banks, it shall be his duty to prepare or cause to be prepared and transmitted to the State Budget Officer: (1) a voucher describing the proposed transfer or transfers, and (2) the pay-in vouchers for the deposit of the monies to be so transferred. On receipt of said documents, the State Budget Officer shall register the proposed transfer or transfers in a book to be maintained for this purpose and shall certify the vouchers to the Auditor. The Auditor shall issue his warrant or warrants for the amounts specified by the Treasurer and certified by the State Budget Officer; shall fill in on the warrants, the banks at which they are payable as specified by the Treasurer; and shall transmit the warrants accompanied by all copies of the pay-in vouchers to the Treasurer. When the transfers have been completed, the Treasurer shall immediately transmit to the Auditor and State Budget Officer receipted copies of the pay-in vouchers.

§ 9. *Private Funds and Contributions.* Every department, institution, or other agency of the State government, having private funds or contributions available for its support or for the purpose of defraying the expenses of any work done under its direction, shall deposit such funds or contributions with the State Treasurer, through the Auditor of Public Accounts in the manner prescribed by this act for the deposit of public monies and shall certify to the Auditor: (1) the

sources from which such funds or contributions were received, (2) the terms and conditions under which, and the purpose for which, they were received, (3) the names of the trustees or administrators of the funds or contributions, and (4) the name of the person authorized to approve expenditures from each fund or contribution. The Treasurer shall keep each such fund or contribution entirely separate and distinct from all other funds. All disbursements from such funds and contributions shall be made by the Treasurer on the warrants of the Auditor of Public Accounts, who shall issue such warrants only upon adequate vouchers approved by the person or persons authorized to approve the expenditures. Separate sets of accounts with each of the said funds and contributions, and the receipts and disbursements thereof, shall be maintained by the Auditor and the State Budget Officer. The provisions of this Act shall not apply to private funds of students in State educational institutions nor to the private funds of patients or prisoners in State institutions when such funds are deposited with an officer of such institutions for safekeeping.

§ 10. *Special Deposit Trust Fund.* There is hereby created a special deposit fund consisting of all monies received by the Commonwealth or any department or officers thereof as guarantees for the payment of any costs, charges or damages accruing or liable to accrue to the Commonwealth, or for the performance of any specific act, including all monies deposited as bail to secure the liberation of persons accused of public offenses, all monies deposited by the bidders on contracts to insure their entering into contracts awarded them, and all monies deposited to indemnify persons whose property may be damaged or destroyed by the operations of the depositor. All such monies shall be paid to the State Treasurer, in the manner provided by this act for the deposit of public monies and shall be deposited by the Treasurer as a trust fund in a separate account in a designated depository bank. The money so deposited may be returned to the de-

positors without specific appropriation, allotment, or authorization for expenditure therefor, should they become entitled to the return thereof, in the same manner as other claims against the Commonwealth may be paid, or may, upon default of any depositor and upon certificate to such effect by the administrative officer having charge of the matter, be declared by the Auditor of Public Accounts to be forfeited in whole or in part and thereupon be transferred to the extent so forfeited, to the general fund. The interest on bank deposits of this fund shall accrue to the general fund.

§ 11. *List of Warrants Issued to be Furnished to the State Budget Officer.* All warrants issued by the Auditor shall be submitted to the Treasurer, accompanied by a list or lists of all the warrants so submitted at any one time showing, for each warrant the name of the payee, the amount thereof, the fund against which drawn, and each list shall show the total of the amounts of all warrants listed. The Auditor of Public Accounts shall promptly file copies of such lists with the State Budget Officer.

§ 12. *Monthly Statements from State Depositories.* The president or cashier of each State depository shall see to it that, on the first day of each month, a statement over his official signature is furnished to the Auditor of Public Accounts and the State Budget Officer, showing the amounts of public monies received and paid out of said depository during the preceding month and the balance then remaining to the credit of the Treasury. Any State depository which fails or refuses to comply, in any month, with the provisions of this section shall be notified in writing by mail, on or before the tenth day of such month, of such failure or refusal, by the Auditor of Public Accounts. Any State depository bank which persists in such failure or refusal for a period of ten days after the mailing of notice thereof as herein required shall be disqualified as a State depository and the Board of Finance shall request the Treasurer, and it shall thereupon be the duty of the Treasurer to call the State's deposits in

such bank and forthwith to withdraw them therefrom in the manner provided. Any bank disqualified hereunder as a State depository bank shall continue to be ineligible for designation as a State depository during the term of the State Treasurer then in office.

§ 13. *Auditor of Public Accounts to Reconcile Bank Statements and Treasurer's and State Budget Officer's Accounts with Depositories.* It shall be the duty of the Auditor of Public Accounts, during the first ten days of each month, to reconcile the statements furnished by State Depositories, the Treasurer's accounts, and the State Budget Officer's accounts; to examine all paid warrants to determine that they are authentic and properly endorsed; to compare each paid warrant with the description thereof in list of warrants issued, as submitted by him to the Treasurer; to check off each paid warrant on said lists by entering opposite the description thereof the month and year of payment; and to compile a detailed list of outstanding warrants and file copies thereof with the Treasurer and the State Budget Officer. All paid warrants after being verified, checked, and recorded as paid as herein provided, shall be deposited with the Treasurer.

ARTICLE VII.—ACCOUNTING AND FISCAL REPORTING.

§ 1. *State Budget Officer to Prescribe and Install a Unified and Integrated System of Accounts.* The State Budget Officer shall prescribe and install a unified and integrated system of accounts for the Commonwealth, exclusive of the accounts required to be maintained by the Auditor of Public Accounts under the provisions of this act, which shall include:

(a) A set of budgetary control accounts for each fund, which it shall be his duty to maintain in his office, comprising an account with the available cash of the fund, on account with the budget estimate of the amount of money to be derived from each source of revenue and non-revenue receipts, an account with the total of the unallotted balance of ap-

propriations, an account with the total of the free balances of allotments, and an account with the total commitments under allotments, and an account with the estimated cash surplus or deficit as the case may be, so as to show at all times the status of the budget fund.

(b) A subsidiary appropriation ledger for each fund from which appropriations are made, which it shall be his duty to maintain in his office, embracing an account with each appropriation designed to show: the budget unit to which the appropriation was made, the purpose of the appropriation, the amount appropriated, the additions to the appropriation, allotments from the appropriation, the unallotted balance of the appropriation, commitments charged to allotments, and the free balances of the total amount allotted.

(c) A set of general controlling proprietary and operating accounts for each fund, which it shall be his duty to maintain in his office, so as to record the transactions of the fund in summary form and to show the actual current assets, prepaid expenses, current liabilities, deferred credits to income, reserves, current liabilities, actual income, actual expenditures, and the current surplus or deficit as the case may be.

(d) A uniform classification of the sources of revenue and non-revenue receipts, which shall be observed by all the budget units in preparing pay-in vouchers and reporting on revenues and receipts.

(e) Standard classifications of the expenditures of the budget units, by the activities upon which the units are engaged.

(f) A standard classification of the budget units and their principal functions by major functions of government.

(g) Such other accounts, records, and devices as the State Budget Officer may deem necessary for the production of needed information respecting financial condition, financial operations, and costs.

§ 2. *Treasurer to Keep Cash Accounts.* The accounting system prescribed and installed by the State Budget Of-

ficer hereunder, shall provide for the treasurer to continue to keep accounts with receipts, payments, and State depositories as heretofore provided by law.

§ 3. *State Budget Officer Independently to Keep Cash Accounts.* The State Budget Officer shall keep controlling accounts with receipts, payments, and State depositories entirely independent of those maintained by the Treasurer. The figures for the entries required to open such accounts shall be secured by the State Budget Officer from the Treasurer. Thereafter the information required for the keeping of such accounts shall be secured from the pay-in vouchers, lists of warrants drawn under appropriations, and vouchers requesting transfers of deposits among State depositories provided for in this Act.

§ 4. *Prescribed Accounting System to Provide for Settling Transactions between Budget Units.* The accounting system prescribed and installed by the State Budget Officer pursuant to the provisions of this act, shall provide for the settlement of transactions between budget units by the making of debit and credit entries on his books on the basis of adequate expenditure vouchers, without the issuance of warrants.

§ 5. *Fiscal Reporting.* It shall be the duty of the State Budget Officer:

(a) Within ten days after the close of each month, to furnish each budget unit with copies of his active accounts with the appropriations and allotments in favor of such unit, showing all the transactions recorded in the previous month and the balances as of the beginning and end of that month.

(b) Within ten days after the close of each month, to prepare and transmit to the Governor, to each member of the Board of Finance, a report embodying: A summary statement of the actual financial condition of each fund as of the close of the previous month, a summary statement showing the receipts and payments of each fund for the previous month, and

for the current fiscal year to the close of the previous month, and a summary budget statement for each fund showing the available cash balance as of the end of the previous month, the amount of cash estimated to be realized from each source during the remaining months of the fiscal year, the total means of financing, the amount of the unallotted balances of allotments, the estimated amount of unliquidated commitments, and the estimated cash surplus or deficit as the case may be.

(c) On or before the first day of October in each fiscal year, to file with the Governor a complete report of the financial transactions of the preceding fiscal year and of the financial condition of the Commonwealth as of the end of that year, with such comments, explanations, and supplementary data as he may deem necessary to make his report complete and easy to understand.

ARTICLE VIII.—POST-AUDITING.

§ 1. *Periodic and Special Audits. Filing of Audit Reports.* It shall be the duty of the State Inspector and Examiner to audit the accounts, records and transactions of the budget units, not less frequently than once in each fiscal year. Such auditing shall extend to private and semi-private agencies receiving State aid or having responsibility for handling any State funds. Copies of the audit report shall be filed with the departments, institutions, boards, and other public offices and agencies audited, and a copy of each report shall be filed with the Governor. He shall make special audits and investigations at such times as may be required by the Governor, and shall audit periodically the revenue collections of all kinds accruing to the Commonwealth, to ascertain whether the revenue due and owing to the Commonwealth is being properly and completely collected, and if he shall find from said audit or audits that the collections are not being satisfactorily made, he shall report that fact to the authority whose

duty it is to make such collections. All audit reports of the examiners shall be public documents to which taxpayers shall have access.

§ 2. *Audits of the Accounts of the Auditor and the Treasurer.* The State Inspector and Examiner shall audit the accounts of the Auditor of Public Accounts and of the Treasurer not less frequently than once each month.

ARTICLE IX.—GENERAL PROVISIONS.

§ 1. *Board of Finance to Investigate Alleged Mismanagements. Powers and Duties of Board in Case of Mismanagements.* The Board of Finance is empowered, and it shall be its duty to investigate any alleged mismanagement of any of the affairs of the Commonwealth by any officer or employee or governing body responsible for the carrying out of any State function or the management of State funds; to recommend to the Governor that he proceed as provided by law for the removal of any unnecessary officer or employee and of any officer or employee whom the Board shall find has grossly mismanaged any State affairs.

§ 2. *Powers of State Budget Officer and Board of Finance to Conduct Examinations and Compel Attendance and Testimony of Witnesses.* For the purpose of enforcing the provisions of this Act, the State Budget Officer or any member of his staff who may be designated as his agent shall have free access during business hours to all books, reports, documents, papers, accounts, and letters in the office or under the care, charge or control of any Budget unit. The members of the Board of Finance may administer oaths, certify to official acts, issue subpoenas, compel the attendance of witnesses and the productions of all testimony touching any subject properly under investigation by it, and may compel the production of books, papers, letters, documents, accounts, and balance sheets. In case of failure on the part of any person through disobedience to comply with the requests of the Board or any

member or members thereof, or its designated agent or agents, or to obey any subpoena issued on behalf of said Board, or any member or members thereof, or of its designated agent or agents, or upon refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, the circuit court of the county, or judge thereof, having jurisdiction of the person to whom such order or subpoena was issued, on application of the said Board or any member or members thereof, may compel obedience by proceedings for contempt as in the case of disobedince of the requirements of a subpoena or order issued from such court, or a refusal to testify therein, and may adjudge said person guilty of contempt of court and punish him as provided by law in other contempt cases.

§ 3. *Penalty for Violating Law.* Any officer, agent or employee of any budget unit who shall willfully fail to refuse to comply with any of the provisions of this Act or who shall so expend any money in violation of any of the provisions of this Act, shall be deemed guilty of a misdemeanor and be subject to indictment in the Franklin Circuit Court, and upon conviction shall be fined in any sum of not less than fifty ($50.00) dollars, nor more than five hundred ($500.00) dollars for each offense.

§ 4. *Repeal of Inconsistent Provisions; Constitutionality of Act.* It is hereby declared to be the intention and purpose of the General Assembly, in the passage of this Act, to create an adequate, unified, and integrated system of financial administration and business management for the Commonwealth of Kentucky, to be used by all the agencies of the Commonwealth to promote efficiency and economy, in lieu of the various systems now authorized by law, and therefore, all laws or parts of laws in conflict with the provisions of this Act, are hereby repealed to the extent of such conflict.

§ 5. *Construction of Law; Effect of Partial Invalidity.* This Act shall be liberally construed, and if any section, para-

graph, or provision thereof shall be declared unconstitutional, the invalidity of such section, paragraph or provisions of this act shall not affect the remaining sections, paragraphs or provisions of this act; and it is declared to be the legislative intent to enact each provision, paragraph, and section of this act separately.

§ 6. The provisions of this Act shall be and become effective at 12:00 o'clock midnight, June 30, 1934.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Curtis	J. Joseph Hettinger
Carroll D. Asbury	Harry Davis	Dr. A. L. Hill
Harold L. Barnes	R. A. Demunbrun	John R. Hobbs
Marshall Barnes	S. S. Dickson	Ira W. Hulette
Robert E. Beatty	George Dunlap	G. C. Johnson
B. F. Bedford	Garland Embry	T. M. Johnson
Reuben J. Boling	Clarence E. Evans	J. H. King
O. J. Bowen	Rudy Ferguson	Leo King
Jas. C. Bright	T. P. Fitzpatrick	W. L. Knuckles, Jr.
Wallace Brown	J. B. Floyd	Glenn W. Lane
Frank C. Bruton	Kelly J. Francis	Alden L. Love
Mrs. Cecil Cantrill	W. J. Garnett	Herschel McKinley
Charles Chandler	Ferd A. Gnau	C. C. McMasters
J. A. Coleman	W. Yancey Handy	Roy McWaters
Sidney J. Collins	Judson Harmon	C. C. May
Joel T. Crenshaw	Frank Harris	L. B. Meadors
G. Cunningham	R. M. Harrison, Jr.	Clarence Miller

H. H. Miller	Kleber F. Price	Elmore J. Thomas
W. H. Miller	G. M. Pritchett	Harry B. Thornton
James B. Milliken	Pat Rankin	J. Sterling Towles
Tyler Munford	Waylon Rayburn	Starling B. Tracy
Rodes K. Myers	W. P. Renfro	Henry T. Ward
Robert A. Persky	Avery Sartin	Robert E. Webb
James I. Peters	Jos. W. Schneider	J. B. Wicker
M. D. Phelps	Mrs. M. B. Scott	
Steve Pieratt	Lafe J. Spencer	—76

Those who voted in the negative were—

Levi Baker	B. M. Williams	—2

Resolved that the title thereof be as aforesaid.

Mr. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The hour of twelve o'clock Meridian, having arrived, Mr. Towles moved that the House do now recess until the hour of one-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

At the instance of the Committee on Rules, and without objection, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Sartin:

H. B. 858. An Act establishing a road as part of the State Primary System of Highways from the State Highway No. 90 to Mudcamp and intersecting with Tompkinsville road.

By Dr. Hill:

H. B. 859. An Act repealing and re-enacting Section 1992a-26, Carroll's Kentucky Statutes, Baldwin's 1930 Revision, relating to appropriations of the preceding fiscal year continuing in the event the General Assembly should fail to make appropriations for the fiscal year, or years next ensuing, or in the event of the Governor vetoing an appropriation or item; and relating to the powers of the Budget Commission; and providing that such appropriations shall not so continue in the event that the General Assembly at either a regular or extra session held at any time before the beginning of the fiscal year shall make such appropriations.

By Mr. McCarthy:

H. B. 860. An Act providing for the adoption, installation, use and custody of seal presses to authenticate and mark election ballots with special embossed impressions, adopting the streamer form of ballot, prescribing the method of printing and casting ballots, fixing and prescribing duties of the Secretary of State, State Board of Election Commissioners, County Clerks, Precinct Election Officers, and Electors, fixing penalties for violations thereof, and repealing all laws and parts of laws in conflict with the provisions of this act.

By Mr. Myers:

H. B. 861. An Act relating to the Government of cities of the third class in the Commonwealth of Kentucky.

To Committee on Rules.

Mr. H. L. Barnes moved that the privilege of the floor be extended to Messrs. Junior Lackey, C. M. Florence, and Tom Hayden.

Said motion was agreed to.

Mr. Price moved that the privilege of the floor be extended to Mr. A. L. Chandler of Jessamine County, Kentucky.

Said motion was agreed to.

Mr. Bedford moved that the privilege of the floor be extended to Messrs. Jade Duffy, Dan Krumbaugh, Harold McIlvain and Chambers Perry.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills and resolutions were reported, viz.:

H. B. 829. An Act to provide for the licensing of road, highway and bridge contractors by the State Highway Commission, etc.

H. B. 851. An Act providing that the purchasers of new cars be allowed five days in which to license same.

H. Res. 72. A Resolution providing for payment of money for jury services, etc.

H. B. 667. An Act repealing, amending and re-enacting Section 2739g-34a of Baldwin's Kentucky Statutes, Carroll's 1930 Edition, relating to the driving of motor vehicles while intoxicated; penalty.

H. Res. 70. Resolution for help for enrolling clerks of Senate and House.

H. B. 858. An Act relating to the Primary System of Roads and Highways.

H. B. 856. An Act relating to the Primary System of Roads and Highways.

With the expression of opinion that said bills and resolutions ought to pass.

Said bills and resolutions were severally read at length the first time and ordered to be placed on the Calendar.

The hour of two o'clock P. M. having arrived, that being the hour for the Special Order of the Day, to-wit:

The reconsideration of a bill which originated in the Senate, entitled:

S. B. 100. An Act to assist disabled men and women veterans of the World War to obtain relief from the Federal Government.

Thereupon Dr. Hill moved that the House do now reconsider said bill, the objections and veto of the Governor to the contrary notwithstanding.

Mr. Milam moved that said bill be laid on the Clerk's desk.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Milam and Myers were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. Gottschalk	Tyler Munford
Carroll D. Asbury	Judson Harmon	Rodes K. Myers
Robert E. Beatty	John R. Hobbs	Lafe J. Spencer
Wm. B. Belknap	G. W. Howard	J. Sterling Towles
G. Cunningham	T. M. Johnson	Starling B. Tracy
W. J. Curtis	John Kirtley	Henry T. Ward
Ralph Gilbert	G. Samuel Milam	
Ferd A. Gnau	Clarence Miller	—22

Those who voted in the negative were—

Levi Baker	T. P. Fitzpatrick	H. H. Miller
Harold L. Barnes	J. B. Floyd	W. H. Miller
Marshall Barnes	Kelly J. Francis	James B. Milliken
B. F. Bedford	L. J. Gammon	Richard H. Nufer
Reuben J. Boling	W. J. Garnett	James I. Peters
O. J. Bowen	W. Yancey Handy	M. D. Phelps
Jas. C. Bright	Frank Harris	Steve Pieratt
Corbett Brown	R. M. Harrison, Jr.	Kleber F. Price
Wallace Brown	Dr. A. L. Hill	G. M. Pritchett
Frank C. Bruton	Ira W. Hulette	Pat Rankin
Mrs. Cecil Cantrill	G. C. Johnson	Waylon Rayburn
Charles Chandler	Leo King	W. P. Renfro
J. A. Coleman	W. L. Knuckles, Jr.	L. D. Sandlin
Sidney J. Collins	Glenn W. Lane	Avery Sartin
D. B. Coughlin	Alden L. Love	Jos. W. Schneider
Joel T. Crenshaw	M. T. McCarthy	Mrs. M. B. Scott
Harry Davis	George R. McIntosh	Harry Sparks
R. A. Demunbrun	Herschel McKinley	John W. Taylor
S. S. Dickson	C. C. McMasters	Elmore J. Thomas
George Dunlap	Roy McWaters	Harry B. Thornton
Garland Embry	C. C. May	Robert E. Webb
Clarence E. Evans	J. S. Mattingly	J. B. Wicker
Rudy Ferguson	L. B. Meadors	B. M. Williams

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The motion to reconsider said bill, the objection and veto

of the Governor to the contrary notwithstanding, was then agreed to.

Thereupon the House proceeded, as provided by the Constitution to reconsider said bill.

(For bill see House Journal of February 20.)

The objections and veto of the Governor and his reasons therefor, are as follows, viz.:

VETO MESSAGE SENATE BILL No. 100.

The Governor is now, and always has been, heartily in favor of legislation designated to assist disabled war veterans and their widows and orphans. It is, therefore, with sincere regret that I believe it to approve if my reasons for vetoing this bill are met.

My Reasons for Vetoing the Present Bill Are as Follows:

1. This bill is disapproved by the Governor chiefly for the reason that it appropriates $20,000.00 (Twenty Thousand Dollars) to maintain the Kentucky Disabled Ex-Service Men's Board, which board is not necessary for the administration of any State governmental functions. I have frequently stated that I would not approve any appropriations for the maintenance of any governmental activity that I did not deem necessary for the proper administration of the State's business. Up until this time there have been no funds provided by the General Assembly out of which such appropriations can be paid.

While I am heartily in favor of the purposes to be carried out by this bill, and am in favor of other appropriations that have been or will be made by the General Assembly, yet I feel constrained to veto this measure, as I shall have to veto other appropriations that will in all probability be made

in aid of activities that are unnecessary for the proper functioning of the State Government. This course is unavoidable unless sufficient revenues are provided from which such appropriations can be met or paid.

2. The Appropriations of $20,000.00 made by this bill is, in my opinion, too large for the work that is proposed to be done by this board. Most of the appropriation is devoted to the payment of salaries, which amount to approximately $15,000.00. In my opinion there are more employees connected with this board than should be. Some of the salaries are higher than those paid heads of many of the important departments of the State Government and, too, the personnel of the board, to-wit: stenographers and clerks, seems to me to be rather large.

3. The board is composed of members of only one of the veterans' organizations of the State. It was my understanding at the 1932 session of the General Assembly that other veterans' organizations would, in some manner, have representation. At that session of the General Assembly two commissions, dealing with other veterans' organizations, were abolished. This condition should be remedied by the new bill.

4. This bill continues this board as an independent agency, which is contrary to the policy of this administration, and is in conflict with the provisions of the Reorganization Bill recently enacted. This board should be a division of some department of the State Government as provided in the Reorganization Bill.

The Governor sincerely is in hopes that a new bill, meeting the above requirements and conditions, may be enacted at the present session of the General Assembly, and that sufficient revenue may be provided to take care of such necessary appropriations.

For the reasons enumerated above, this bill is disapproved and vetoed.

This, the third day of March, 1934.

RUBY LAFFOON, Governor,
Commonwealth of Kentucky.

After such reconsideration, the question was taken upon the passage of said bill, the objections and veto of the Governor to the contrary notwithstanding, and it was decided in the affirmative.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, the objections and veto of the Governor to the contrary notwithstanding, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Joel T. Crenshaw	Frank Harris
Carroll D. Asbury	Carroll L. Cropper	R. M. Harrison, Jr.
Levi Baker	W. J. Curtis	Dr. A. L. Hill
Harold L. Barnes	Harry Davis	John R. Hobbs
Marshall Barnes	R. A. Demunbrun	G. W. Howard
B. F. Bedford	S. S. Dickson	Ira W. Hulette
Wm. B. Belknap	George Dunlap	G. C. Johnson
Reuben J. Boling	Garland Embry	J. H. King
O. J. Bowen	Clarence E. Evans	Leo King
Jas. C. Bright	Rudy Ferguson	W. L. Knuckles, Jr.
Corbett Brown	T. P. Fitzpatrick	Glenn W. Lane
Wallace Brown	J. B. Floyd	Alden L. Love
Frank C. Bruton	Kelly J. Francis	M. T. McCarthy
Hugh K. Bullitt	L. J. Gammon	George R. McIntosh
Mrs. Cecil Cantrill	W. J. Garnett	Herschel McKinley
Charles Chandler	Ralph Gilbert	C. C. McMasters
J. A. Coleman	C. Gottschalk	Roy McWaters
Sidney J. Collins	W. Yancey Handy	C. C. May
D. B. Coughlin	Judson Harmon	J. S. Mattingly

L. B. Meadors	Steve Pieratt	Harry Sparks
H. H. Miller	Kleber F. Price	Lafe J. Spencer
W. H. Miller	G. M. Pritchett	John W. Taylor
James B. Milliken	Pat Rankin	Elmore J. Thomas
Rodes K. Myers	Waylon Rayburn	Harry B. Thornton
Richard H. Nufer	W. P. Renfro	Starling B. Tracy
Robert A. Persky	L. D. Sandlin	Robert E. Webb
James I. Peters	Avery Sartin	J. B. Wicker
M. D. Phelps	Jos. W. Schneider	B. M. Williams

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Those who voted in the negative were—

Robert E. Beatty	Ferd A. Gnau	Tyler Munford
G. Cunningham	G. Samuel Milam	Henry T. Ward

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Dr. Hill moved that the vote by which said bill was reconsidered and passed, the objections and veto of the Governor to the contrary notwithstanding, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Mr. Love of the Committee on Enrollment reported that they had examined and found to be correctly enrolled, a resolution which originated in this House, entitled:

H. Res. 30. Resolution authorizing S. M. Green to sue the Commonwealth of Kentucky.

Thereupon all other business was suspended, said resolution was read at length and compared in open session and found to be correctly enrolled, and thereupon, the Speaker in open session and in the presence of the House, affixed his signature thereto.

Ordered that the Enrolling Clerk of this House deliver said resolution to the Senate.

Mr. H. H. Holeman, Secretary to His Excellency, the Honorable Ruby Laffoon, Governor of the Commonwealth of Kentucky, appeared upon the floor of the House of Representatives and announced that the Governor desired to deliver a message to the Joint Assembly.

After a time, the Senate of Kentucky appeared and in order, entered upon the floor of the House of Reprsentatives and the Hon. A. B. Chandler, Lieutenant Governor and President of the Senate, took the Chair and presided, and the Hon. W. E. Rogers, Speaker of the House, having taken his seat on the right of the President of the Senate, the two Houses were convened in Joint Session, which was composed of a majority of all the members elected to each House.

It was ordered that the call of the roll of the two Houses be dispensed with.

After a time the Hon. Ruby Laffoon, Governor of the Commonwealth of Kentucky, appeared and taking his place at the Clerk's desk, addressed the General Assembly, as follows, viz.:

Ladies and Gentlemen of the General Assembly:

In submitting to you the report of the State Budget Commission covering appropriations recommended for the operation of the various departments and agencies of the State Government for the ensuing biennium, beginning July 1, 1934, and ending June 30, 1936, the Budget Commission has endeavored to furnish you with full detailed information upon both the present budget and upon the one to be adopted at this session of the General Assembly to cover the approaching biennium.

Condensed financial statements covering the last two fiscal years, showing classified receipts and expenditures, appropriations that were made for the present fiscal year, and

the requests that have been made for budget appropriations for the next two fiscal years, are also contained in this report.

I shall briefly call to your attention certain outstanding facts in relation to the distribution of State revenues for the last two fiscal years, and to the present existing conditions that will affect the distribution of such revenues for the next biennium.

You will find budgeted in this report forty-three State governmental units that were not budgeted for the last biennium, and to which were appropriated the sum of almost two millions of dollars. These agencies, or units of State Government, are composed mainly of fee-supported State agencies and miscellaneous appropriations that were made to meet some specific demand. Not taking into consideration these units, which are included in this report, there is shown a net reduction in the appropriations recommended for the next fiscal year, in comparison with those made for the preceding fiscal year, of $742,107.03.

The total appropriations recommended for all budget units for the next fiscal year, and to be paid out of the General Fund, are $9,703,768.71. The total receipts, estimated upon the basis of receipts to this fund for the last fiscal year, will be $8,306,630.30. Thus it will be seen that there will be a deficit in this fund for the fiscal year 1935 of $1,397,138.41 in spite of any reductions in expenditures that have been made, and that the estimated deficit for the fiscal year 1936 will be $1,524,138.41. This increased deficit for this year is caused by the fact that the General Assembly will again convene in 1936, and the cost thereof is taken into consideration.

It should be borne in mind, however, that any appropriations made by this General Assembly, in addition to those included in this budget report, will increase any deficit therein to the extent of such appropriations. It is estimated that if all additional appropriation measures that have been passed by this Legislature, and others now pending for passage by

it, should also become laws, approximately $1,200,000.00 will be added to the deficit referred to for the fiscal year 1935. This will increase the shortage in the General Expenditure Fund for the year indicated to $2,500,000.00.

To prevent a deficit in this fund, or to minimize it, the Governor will be forced to veto any appropriation for any purpose that he deems unnecessary for the proper functioning of the State Government.

If an appropriation is made for any purpose whatsoever, and the money to meet it is not made available and set aside in the budget for the specific purpose intended, it can not, under the law as it now is, be paid.

Then you see how futile will be the attempt to appropriate more money for all governmental purposes than the estimated receipts will produce. The only possibility under the law, as it now exists, to further increase the State's indebtedness is for the General Assembly to exceed the estimated revenues of the State in the appropriations it makes. In other words, there can be no more money spent for the support of all State governmental activities, in cash or by warrant, than is covered by an appropriation.

Then I beseech you, when you come to pass an appropriation act, that you make the disbursements for all purposes equal to, or less than, the estimated receipts from all sources. This is what "balancing the budget" means.

Your attention is also called to the fact that certain measures are now pending before this body that, if enacted into law, will greatly reduce the present income of the State. Should these measures become laws, the estimated deficit will be correspondingly increased. The estimated receipts from all sources are based upon the laws now in force.

It is my opinion that real estate should be relieved from the burdens of taxation for State purposes, but should remain subject to taxation for local purposes under the supervision of local governmental authorities. If this is done, then the

State, in some just manner, should attempt to equalize the burdens of County Governments by direct aid extended to them. A law to equalize both benefits to, and burdens upon, the taxpayer is not impossible of enactment.

In the event that the proposed reduction is made in taxes upon real estate, not only will the General Expenditure Fund be affected thereby, but the School Fund will be likewise greatly reduced. It is estimated that this reduction, if made, will be from two to two and one-half millions of dollars for each year of the next biennium. This will equal a forty or fifty per cent reduction in the School Fund for each of the next two fiscal years as compared with the available funds for the support of the schools for the present fiscal year. Such a reduction, unless offset by other revenues, will simply mean that Kentucky's school system must fail.

The budget recommendations for the support of the University of Kentucky and the Teachers' Colleges are made in a lump sum for each year of the next biennium, and are fixed at the sum realized last year from millage and inheritance taxes.

There is nothing allowed in the budget for capital outlay or improvements at any of these schools except a small allowance made to the University of Kentucky, which is admittedly inadequate, although improvements are badly needed at each of these institutions. These schools were operated for each of the last two fiscal years at a reduction of about forty per cent in comparison with former expenditures.

To provide adequate funds to maintain Kentucky's school system is our greatest problem. You have recently passed a school code that will assure an improved system of education in our State, but it can not function without the necessary funds for its support. These funds can not be made available unless you provide them by some certain and sane tax method.

This problem is yours, and unless you solve it by provid-

ing the necessary funds, the consequence will rest squarely upon you, and you will have to answer, not only to the boys and girls who will be deprived of educational opportunities, but to their fathers and mothers as well, your constituents, and tell them why you have failed in your highest duty to them. Men of brains, honest men, and men of courage, what is going to be your answer?

Again, I remind you that your State, under its laws now in force, can not expend more money than is appropriated for its governmental functions, and that it is the duty of your executive officers to see to it that its expenses are, at least, limited to its income. If your State Government fails to function in any particular for the lack of necessary funds, the blame in the end will rest upon those who are responsible for that failure.

The shrinkage in property values, in fees, and, in fact, in all sources of State revenues for the past two years, has caused a reduction in all receipts of all funds. There has been a reduction of twenty-seven per cent in receipts of the General Expenditure Fund in that time. For the same period there has been a reduction of thirty-five per cent in expenditures out of that fund. While the General Expenditure Fund is less than one-fourth of all State revenues, the reduction in expenditures from this fund in the last two years has been more than one-half of the total reductions in all State expenditures.

As a whole, receipts for all departments of the State Government fell off from 1931 to 1933 twenty-one per cent, and the expenditures for the support of every department of its government, which includes the General Fund, the School Fund, the Road Fund and the Sinking Fund, were reduced fourteen per cent.

The two funds that have suffered most by a decrease in revenues for the last two years, and that must continue to

suffer most in the approaching biennium, are the General Expenditure Fund and the School Fund.

I feel justified in believing that the effects of the reductions in revenues for the support of your State institutions will merit, and will receive, your candid and serious consideration in an effort to meet the conditions that now confront the Commonwealth.

There was a reduction in the receipts for the maintenance of all departments of the State Government in the fiscal year 1933 as compared with the previous fiscal year of approximately $2,500,000.00. In the same year there was a reduction in expenditures for the maintenance of all departments of the State Government of more than $5,000,000.00.

A few days ago my attention was called to an editorial appearing in one of our metropolitan papers in which it commented upon the reductions that had been made by about a dozen States in the cost of maintaining their respective governments. Kentucky was not in the list of the states named, notwithstanding that the cost of her State Government, in all of its departments, had been reduced last year, as compared with the previous year, more than twice as much as any of the states referred to with the single exception of California. Besides, all of the states that this paper held up as a criterion for this State to follow collect in revenues for their support from three to ten times as much money as does Kentucky, and that her financial condition, as compared with those states, or, for that matter, with any other State of the Nation, excepting one or two, is much better than any one of them.

Appropriations amounting to $782,500.00 that were made and included in the Appropriation Bill for the year 1933, were discontinued in the budget now submitted. This sum was included in the 1933 budget to make up deficits covering obligations of the State that were left unpaid by the preceding administration, and that, of necessity, had to be taken care of by an appropriation made in the fiscal year mentioned.

In the budget submitted herewith there is included $800,000.00 for each of the years of the next biennium to meet interest payments upon the present outstanding State warrants.

The Governor, at the regular session of the General Assembly of 1932 and at the special session held last year, insisted that a sinking fund be created and set apart for the retirement of State warrants. The State is not only paying interest semi-annually upon outstanding warrants but it is losing in the purchase of necessary supplies hundreds of thousands of dollars annually for the reason that these warrants are being sold at a discount of from ten to fifteen per cent, and this discount is added to the purchase price of supplies purchased. Sound business judgment demands that these practices be discontinued.

The Governor now insists that this General Assembly enact necessary laws to remedy the conditions to which I have referred.

The Governor has repeatedly announced that he would not sponsor the enactment of any revenue-raising measure by this General Assembly. He now confirms what he has previously said upon this question. The Governor has no suggestions to make as to the manner of providing necessary revenues to assure the people an efficient functioning of the State Government, but will leave this all-important question to the wisdom of the representatives chosen by the people themselves.

The problem is yours, and I trust that you will display the courage in this matter that you have manifested in solving other important questions that have been considered by you, and that you will discharge your duties satisfactorily to the good people you represent.

Respectfully submitted.

Dr. Hill moved that this Joint Session do now dissolve.

Said motion was agreed to.

Thereupon the Speaker resumed the Chair and called the House to order.

The House took up for consideration from the Orders of the Day a bill entitled:

H. B. 467. An Act to regulate the practices of professional engineering and land surveying; creating a State Board of Registration for Professional Engineers and Land Surveyors; defining its powers and duties; also imposing certain duties upon the state and political subdivisions thereof in connection with public work; and providing penalties.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. General Provisions.—Be it enacted by the General Assembly of the State of Kentucky that in order to safeguard life, health and property, any person practicing or offering to practice the professions of engineering or of land surveying, shall hereafter be required to submit evidence that he is qualified so to practice and shall be registered as hereinafter provided; and it shall be unlawful for any person to practice or to offer to practice the professions of engineering or of land surveying, in this state, or to use in connection with his name or otherwise assume, use, or advertise any title or description tending to convey the impression that he is a professional engineer or a land surveyor, unless such person has been duly registered or exempted under the provisions of this act.

§ 2. Definitions.—The term "professional engineer" as used in this act shall mean a person who, by reason of his knowledge of mathematics, the physical sciences, and the prinples of engineering, acquired by professional education and

practical experience, is qualified to engage in engineering practice.

The term "land surveyor" as used in this act shall mean a person who engages in the practice of land surveying.

The term "board" as used in this act shall mean the State Board of Registration for Professional Engineers and Land Surveyors, provided for by this act.

§ 3. State Board of Registration for Professional Engineers and Land Surveyors—Appointment of Members—Terms.—A State Board of Registration for Professional Engineers and Land Surveyors is hereby created whose duty it shall be to administer the provisions of this act. The board shall consist of five professional engineers, who shall be appointed by the Governor from among nominees recommended by the representative engineering societies in the state and shall have the qualifications required by Section 4. The members of the first board shall be appointed within ninety days after the passage of this act, to serve for the following terms: One member for one year, one member for two years, one member for three years, one member for four years, and one member for five years, from the date of their appointment, or until their successors are duly appointed and qualified. Every member of the board shall receive a certificate of his appointment from the Governor and before beginning his term of office shall file with the Secretary of State his written oath or affirmation for the faithful discharge of his official duty. Each member of the board first appointed hereunder shall receive a certificate of registration under this act from said board. On the expiration of the term of any member, the Governor shall in the manner hereinbefore provided appoint for a term of five years a registered professional engineer, having the qualifications required by Section 4, to take the place of the member whose term on said board is about to expire. Each member shall hold office until the expiration of the term for which such member is appointed or until a suc-

cessor shall have been duly appointed and shall have qualified.

§ 4. Qualifications of Members of Board.—Each member of the board shall be a citizen of the United States and a resident of this state for at least five years, and shall have been engaged in the practice of the profession of engineering for at least twelve years, and shall have been in responsible charge of important engineering work for at least five years. Responsible charge of engineering teaching may be construed as responsible charge of important engineering work.

§ 5. Compensation and Expenses of Board Members.—Each member of the board shall be reimbursed for all actual traveling, incidental, and clerical expenses necessarily incurred in carrying out the provisions of this act, but shall receive no other financial compensation.

§ 6. Removal of Members of Board—Vacancies.—The Governor may remove any member of the board for misconduct, incompetency, neglect of duty, or for any other sufficient cause ten days after publicly stating, in writing, his reason therefor. Vacancies in the membership of the board shall be filled for the unexpired term by appointment by the Governor as provided in Section 3.

§ 7. Organization and Meetings of the Board.—The board shall hold a meeting within thirty days after its members are first appointed, and thereafter shall hold at least two regular meetings each year. Special meetings shall be held at such time as the by-laws of the board may provide. Notice of all meetings shall be given in such manner as the by-laws may provide. The board shall elect or appoint annually the following officers: A chairman, a vice chairman and a secretary. A quorum of the board shall consist of not less than three members.

§ 8. Powers of the Board.—The board shall have the power to make all by-laws and rules, not inconsistent with the constitution and laws of this state, which may be reasonably

necessary for the proper performance of its duties and the regulations of the proceedings before it. The board shall adopt and have an official seal.

In carrying into effect the provisions of this act, the board may, under the hand of its chairman and the seal of the board, subpoena witnesses and compel their attendance, and also may require the production of books, papers, documents, etc., in a case involving the revocation of registration or practicing or offering to practice without registration. Any member of the board may administer oaths or affirmations to witnesses appearing before the board. If any person shall refuse to obey any subpoena so issued, or shall refuse to testify or produce any books, papers, or documents, the board may present its petition to the circuit court held in Frankfort, Kentucky, setting forth the facts, and thereupon such circuit court shall, in a proper case, issue its subpoena to such person, requiring his attendance before such circuit court and there to testify or to produce such books, papers and documents, as may be deemed necessary and pertinent by the board. Any person failing or refusing to obey the subpoena or order of the said circuit court may be proceeded against in the same manner as for refusal to obey any other subpoena or order of the said circuit court.

§ 9. Receipts and Disbursements.—The secretary of the board shall receive and account for all moneys derived under the provisions of this act, and shall pay the same monthly to the State Treasurer, who shall keep such moneys in separate fund to be known as the "Professional Engineers' Fund." Such fund shall be kept separate and apart from all other moneys in the treasury, and shall be paid out only by warrant of the State Auditor upon the State Treasurer, upon itemized vouchers, approved by the chairman and tested by the secretary of the board. All moneys in the "Professional Engineers' Fund" are hereby specifically appropriated for the use of the board. The secretary of the board shall give a

surety bond to this state in such sum as the board may determine. The premium on said bond shall be regarded as a proper and necessary expense of the board, and shall be paid out of the "Professional Engineers' Fund." The secretary of the board shall receive such salary as the board shall determine in addition to the expenses provided for in Section 5. The board may employ such clerical or other assistants as are necessary for the proper performance of its work, and may make expenditures of this fund for any purpose which in the opinion of the board is reasonably necessary for the proper performance of its duties under this act, including the expenses of the board's delegates to annual convention of, and membership dues to, the National Council of State Boards of Engineering Examiners. Under no circumstances shall the total amount of warrants issued by the State Auditor in payment of the expenses and compensation provided for in this act exceed the amount of the examination and registration fees collected as herein provided.

§ 10. Records and Reports.—The board shall keep a record of its proceedings and a register of all applications for registration, which register shall show (a) the name, age and residence of each applicant; (b) the date of the application; (c) the place of business of such applicant; (d) his educational and other qualifications; (e) whether or not an examination was required; (f) whether the applicant was rejected; (g) whether a certificate of registration was granted; (h) the date of the action of the Board; and (i) such other information as may be deemed necessary by the Board.

The records of the Board shall be *prima facie* evidence of the proceedings of the Board set forth therein, and a transcript thereof, duly certified by the Secretary of the Board under seal, shall be admissible in evidence with the same force and effect as if the original were produced.

Annually, as of June 30, the Board shall submit to the Governor a report of its transactions of the proceeding year,

and shall also transmit to him a complete statement of the receipts and expenditures of the Board, attested by affidavits of its Chairman and its Secretary.

§ 11. Roster of Registered Engineers and Surveyors.—A roster showing the names and places of business of all registered professional engineers and all registered land surveyors shall be prepared by the Secretary of the Board during the month of July of each year, commencing one year from the date this law becomes effective. Copies of this roster shall be mailed to each person so registered, placed on file with the Secretary of State, and furnished to the public upon request.

§ 12. General Requirements for Registration.—The following shall be considered as minimum evidence satisfactory to the Board that the applicant is qualified for registration as a professional engineer, or land surveyor, respectively, to-wit:

(1) As a professional engineer:

a. Graduation from an approved course in engineering of four years or more in a school or college approved by the Board as of satisfactory standing; and a specific record of an additional four years or more of active practice in engineering work of a character satisfactory to the Board, and indicating that the applicant is competent to be placed in responsible charge of such work; or

b. Successfully passing a written, oral, or written and oral, examination designed to show knowledge and skill approximating that attained through graduation from an approved four year engineering course; and a specific record of eight years or more of active practice in engineering work of a character satisfactory to the Board and indicating that the applicant is competent to be placed in responsible charge of such work.

(2) As a land surveyor:

a. Graduation from an approved course in surveying in

a school or college approved by the Board as of satisfactory standing; and an additional two years or more of active practice in land surveying work of a character satisfactory to the Board and indicating that the applicant is competent to be placed in responsible charge of such work; or

b. Successfully passing a written, oral, or written and oral, examination in surveying prescribed by the Board; and a specific record of six years or more of active practice in land surveying work of a character satisfactory to the Board and indicating that the applicant is competent to be placed in responsible charge of such work.

At any time within three years after this Act becomes effective the Board may accept as evidence that the applicant is qualified for registration as a professional engineer a specific record of twelve years or more of lawful active practice in engineering work of a character satisfactory to the Board and indicating that the applicant is qualified to design or to supervise construction of engineering works and has had responsible charge of important engineering work for at least five years and provided applicant is not less than thirty-five years of age.

At any time within three years after this Act becomes effective the Board may accept as evidence that the applicant is qualified for registration as a land surveyor a specific record of ten years or more of lawful active practice in land surveying work of a character satisfactory to the Board and indicating that the applicant has had responsible charge of important land surveying work for at least five years and provided applicant is not less than thirty years of age.

After this Act shall have been in effect three years, the Board shall issue Certificates of Registration only to those applicants who meet the requirements of Section 12, 1 (a) or (b), or 2 (a) or (b), or Section 21.

Provided, that no person shall be eligible for registration

as a professional engineer, or land surveyor, who is not of good character and reputation.

In considering the qualifications of applicants, responsible charge of engineering teaching may be construed as responsible charge of engineering work. The satisfactory completion of each year of an approved course in engineering in a school or college approved by the Board as of satisfactory standing, without graduation, shall be considered as equivalent to a year of active practice. Graudation in a course other than engineering from a college or university of recognized standing shall be considered as equivalent to two years of active practice; provided, however, that no applicant shall receive credit for more than four years of active practice because of educational qualifications. The mere execution, as a contractor, of work designed by a professional engineer, or the supervision of the construction of such work as a foreman or superintendent shall not be deemed to be active practice in engineering work.

Any person having the necessary qualifications prescribed in this Act to entitle him to registration shall be eligible for such registration though he may not be practicing his profession at the time of making his application.

§ 13. Applications and Registration Fees.—Applications for registration shall be on forms prescribed and furnished by the Board, shall contain statements made under oath, showing the applicant's education and detail summary of his technical work, and shall contain not less than references, of whom three or more shall be professional engineers having personal knowledge of his engineering experience.

The registration fee for professional engineers shall be twenty dollars ($20.00), ten dollars ($10.00) of which shall accompany application, the remaining ten dollars ($10.00) to be paid upon issuance of certificate. When a Certificate of Qualification issued by the National Bureau of Engineering Registration is accepted as evidence of qualification, the total

fee for registration as professional engineer shall be ten dollars ($10.00).

The registration fee for land surveyors shall be ten dollars ($10.00), which shall accompany application. Should the Board deny the issuance of a certificate of registration to any applicant the initial fee deposited shall be retained as an application fee.

Nothing in this Act shall be construed as prohibiting registered professional engineers from making land surveys.

§ 14. Examinations.—When examinations are required they shall be held at such times and place as the Board shall determine. The scope of the examinations and the methods of proceedure shall be prescribed by the Board with special reerence to the applicant's ability, to design and supervise engineering works, which shall insure the safety of life, health, and property. Examinations shall be given for the purpose of determining the qualifications of applicants for registration in professional engineering and in land surveying. A candidate failing on examination may apply for reexamination at the expiration of six months and will be reexamined without payment of additional fee. Subsequent examination will be granted upon payment of a fee to be determined by the Board.

§ 15. Certificates, Sales.—The Board shall issue a certificate of registration upon payment of registration fee as provided for in this Act, to any applicant who, in the opinion of the Board, has satisfactorily met all the requirements of this Act. In case of a registered engineer, the certificate shall authorize the practice of "professional engineering," and in the case of a registered land surveyor, the certificate shall authorize the practice of "land surveying." Certificates of registrtaion shall show the full name of the registrant, shall have a serial number, and shall be signed by the Chairman and Secretary of the Board under seal of the Board.

The issuance of a certificate of registration by this Board

shall be evidence that the person named therin is entitled to all the rights and privileges of a registered professional engineer, or of a registered land surveyor, while the said certificate remains unrevoked or unexpired.

Each registrant hereunder shall upon registration obtain a seal of the design authorized by the Board, bearing the registrant's name and the legend, "Registered Professional Engineer," or "Registered Land Surveyor." Plans, specifications, plats, and reports issued by a registrant shall be stamped with the said seal and when filed with public authorities, during the life of the registrant's certificate, but it shall be unlawful for any one to stamp or seal any documents with said seal after the certificate of the registrant named thereon has expired or has been revoked, unless said certificate shall have been renewed or reissued.

§ 16. Expirations and Renewals.—Certificates of registration shall expire on the last day of the month of December following their issuance or renewal and shall become invalid on that date unless renewed. It shall be the duty of the Secretary of the Board to notify every person registered under this Act, of the date of the expiration of his certificate and the amount of the fee that shall be required for its renewal for one year; such notice shall be mailed at least one month in advance of the date of the expiration of said certificate. Renewals may be effected at any time during the month of December by the payment of such fee as may be fixed by the Board, not to exceed ten dollars ($10.00). The failure on the part of any registrant to renew his certificate annually in the month of December as required above shall not deprive such person of the right of renewal, but the fee to be paid for the renewal of a certificate after the month of December shall be increased ten per cent for each month or fraction of a month that payment of renewal is delayed; provided, however, that the maximum fee for delayed renewal shall not exceed twice the normal renewal fee.

§ 17. Firms, Partnerships, Corporations, and Joint Stock Associations.—A firm, or a co-partnership, or a corporation, or a joint stock association may engage in the practice of professional engineering or land surveying in this State; Provided only such practice is carried on by professional engineers or land surveyors, respectively, registered in this State.

§ 18. Practitioners at Time Act Became Effective.—At any time within six months after this Act becomes effective, upon due application therefor and the payment of the registration fee of twenty dollars ($20.00) for professional engineers, or ten dollars ($10.00) for land surveyors, the Board shall issue a certificate of registration, without oral or written examination, to any professional engineer or land surveyor who shall submit evidence under oath satisfactory to the Board that he is of good character, has been a resident of the state of Kentucky for at least one year immediately preceding the date of his application, and had been practicing professional engineering as his principal vocation if an engineer, or land surveying as his principal vocation if a surveyor, for at least one year prior to the date this Act became effective, and has had responsible charge of work of a character satisfactory to the Board.

After this Act shall have been in effect one year, the Board shall issue certificates of registration only as provided for in Section 12 or Section 21 thereof.

§ 19. Public Work.—After the first day of January, one thousand nine hundred and thirty-five, it shall be unlawful for this State, or for any of its political sub-divisions, for any county, city, or town to engage in the construction of any public work involving professional engineering, unless the plans and specifications and estimates have been prepared by, and the construction executed under the direct supervision of, a registered professional engineer; or of a rgistered architect, provided, that nothing in this Section shall be held to

apply to any public work wherein the contemplated expenditure for the completed project does not exceed two thousand dollars ($2,000.00).

§ 20. Exemptions.—The following persons shall be exempt from the provisions of this Act, to-wit:

(a) Any employee, or a subordinate of a person holding a certificate of registration under this Act, or an employee of a person exempted from registration by this Section or by any regulations set up by the Board; provided, his practice does not include responsible charge of design or supervision.

(b) Officers and employees of the Government of the United States while engaged within this State in the practice of the profession of engineering or land surveying, for said Government.

§ 21. Reciprocity.—The Board shall have the power to set up all regulations governing reciprocity, and may, upon application therefor, and the payment of a fee of ten dollars ($10.00), issue a Certificate of Registration as a Professional Engineer to any person who holds a Certificate of Qualification or Registration issued to him by proper authority of the National Council of State Boards of Engineering Examiners, or of the national Bureau of Egineering Registration, or of any State or Territory or Possession of the United States, or any country, provided that the requirements for the registration of professional engineers under which said Certificate of Qualification or Registration was issued do not conflict with the provisions of this Act, are in accordance with the Board's regulations governing reciprocity, and are of a standard not lower than that specified in Section 12 of this Act.

§ 22. Revocations and Re-Issuances of Certificates.—The Board shall have power to revoke the certificate of registration of any registrant who is found guilty of:

(a) The practice of any fraud or deceit in obtaining a certificate of registration;

(b) Any gross negligence, incompetency, or misconduct

in the practice of professional engineering or land surveying as a registered professional engineer or land surveyor.

(c) The violation of the rules or regulations of the Board.

Any person may prefer charges of fraud, deceit, gross negligence, incompetency, or misconduct against any registrant. Such charges shall be in writing, and shall be sworn to by the person making them and shall be filed with the Secretary of the Board.

All charges, unless dismissed by the Board as unfounded or trivial, shall be heard by the Board within three months after the date on which they shall have been preferred.

The time and place for said hearing shall be fixed by the Board, and a copy of the charges, together with a notice of the time and place of hearing, shall be personally served on or mailed to the last known address of such registrant, at least thirty days before the date fixed for the hearing. At any hearing, the accused registrant shall have the right to appear personally and by counsel, to cross-examine witnesses appearing against him, and to produce evidence and witnesses in his own defense.

If, after such hearing, three or more members of the board vote in favor of finding the accused guilty, the Board shall revoke the certificate of registration of such registered professional engineer or land surveyor.

The Board, for reasons it may deem sufficient, may reissue a certificate of registration to any person whose certificate has been revoked, providing three or more members of the Board vote in favor of such re-issuance. A new certificate of registration, to replace any certificate, revoked, lost, destroyed, or mutilated, may be issued, subject to the rules of the Board, and a charge of three dollars ($3.00) shall be made for such issuance.

§ 23. Violations and Penalties.—Any person who shall practice, or offer to prace, the profession of engineering or

land surveying in this State without being registered or exempted in accordance with the provisions of this Act, or any person presenting or attempting to use as his own the certificfiate of registration or the seal of another, or any person who shall give any false or forged evidence of any kind to the Board or to any member thereof in obtaining a certificate of registration, or any person who shall falsely impersonate any other registrant of like or different name, or any person who shall attempt to use an expired or revoked certificate of registration, or any person who shall violate any of the provisions of this Act, shall be guilty of a misdemeanor, and shall upon conviction, be sentenced to pay a fine of no less than one hundred dollars ($100.00), nor more than five hundred dollars ($500.00), or suffer imprisonment for a period not exceeding three months or both.

It shall be the duty of all duly constituted officers of the law of this State, or any political sub-division thereof, to enforce the provisions of this Act and to prosecute any persons violating same. The Attorney General of the State or his assistant shall act as legal adviser of the Board and render such legal assistance as may be necessary in carrying out the provisions of this Act.

§ 24. Quarters.—Suitable office quarters shall be provided by the State for the use of the Board in the City of Frankfort.

§ 25. Printing.—All necessary printing required by the Board shall be executed under the State printing contract and approved by the State Printing Commission.

§ 26. Saving Clause.—Nothing in this Act shall be construed as excluding a registered achitect from such engineering practice as may be incident to the practice of his profession; or as excluding a professional engineer registered under the provisions of this Act from such architectural practice as may be incident to the practice of professional engineering.

§ 27. Invalid Sections.—If any section or sections of

this Act shall be declared unconstitutional or invalid, this shall not invalidate any other section of this Act.

§ 28. Repeal of Conflicting Legislation.—All laws or parts of laws in conflict with the provisions of this Act shall be, and the same are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Rudy Ferguson	Clarence Miller
Carroll D. Asbury	L. J. Gammon	H. H. Miller
Levi Baker	Ferd A. Gnau	W. H. Miller
Harold L. Barnes	C. Gottschalk	James B. Milliken
Marshall Barnes	J. S. Hall	Tyler Munford
B. F. Bedford	Frank Harris	M. D. Phelps
Reuben J. Boling	R. M. Harrison, Jr.	Kleber F. Price
O. J. Bowen	John R. Hobbs	G. M. Pritchett
Jas. C. Bright	Ira W. Hulette	W. P. Renfro
Wallace Brown	T. M. Johnson	L. D. Sandlin
Frank C. Bruton	Leo King	Jos. W. Schneider
Mrs. Cecil Cantrill	John Kirtley	Mrs. M. B. Scott
Charles Chandler	W. L. Knuckles, Jr.	John W. Taylor
J. A. Coleman	Glenn W. Lane	Harry B. Thornton
Sidney J. Collins	M. T. McCarthy	J. Sterling Towles
Joel T. Crenshaw	George R. McIntosh	Starling B. Tracy
G. Cunningham	Herschel McKinley	Robert E. Webb
W. J. Curtis	Roy McWaters	J. B. Wicker
S. S. Dickson	C. C. May	
Clarence E. Evans	L. B. Meadors	—57

Those who voted in the negative were—

Hugh K. Bullitt	J. S. Mattingly	Avery Sartin	
Garland Embry	Pat Rankin		—5

Resolved that the title thereof be as aforesaid.

Mr. McWaters moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 543. An Act to create a State Planning Board of nine members and providing an emergency therefor, to serve without salary and to prepare and adopt a plan or plans for the harmonious development of the state and to act in an advisory capacity with all Departments of Government in Kentucky in effecting long term plans for the development of Kentucky, and the preparation and submission of such plans to the General Assembly and the Governor, with respect to major State improvement projects, and to coordinate such plans and to cooperate with such planning boards of other states and with the National Planning Board and making appropriation for the expenses of such State Planning Board.

With a Committee amendment thereto by way of Substitute therefor.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the State Planning Board is hereby created. The Board shall consist of nine members of whom four shall

be selected as follows: One shall be a member of the State Highway Commission or the Chief Engineer of the Commission, whichever shall be designated by the Governor; one shall be a member of the State Board of Health or the Director of Sanitary Engineering, whichever shall be designated by the Governor; one shall be a member of the State Board of Education or the Superintendent of Public Instruction, whichever shall be designated by the Governor; one shall be the President of the University of Kentucky or a member of the faculty, whichever shall be designated by the Governor; one shall be a member of the Department of Public Welfare to be designated by the Governor. The other four members of the Board shall be appointed by the Governor, and shall serve for terms of one, two, three and four years respectively as may be designated in their initial appointments and until their successors qualify, and their successors shall respectively serve for periods of four years, and one of whom shall be designated by the Governor as chairman. In case of a vacancy, the Governor shall make an appointment for the unexpired term. All members shall serve without compensation, but they shall be allowed any reasonable expenses incurred in the performance of their duties under this act. The Board shall maintain offices which may be located in State Buildings at Frankfort. Five members of the Board shall constitute a quorum. The Board shall keep permanent and complete records of its proceedings, meetings, hearings, orders, and decisions. The Board is hereby authorized and empowered to employ such persons as may be necessary in the performance of its duties and in the exercise of its powers, engineering, clerical or otherwise, and pay the compensation and incur any necessary expenses, within the limits of any funds provided therefor.

§ 2. It shall be the duty of the State Planning Board to prepare or coordinate plans for the development of the State and to cooperate with such Planning Boards of other States,

and with the National Planning Board and its purposes. It shall among other things:

1. Prepare and adopt plans for complete systems of state or regional highways, expressways, parkways, parks, water supply and forest reservations and airways and air terminals, and for such other things as may have particular significance in bringing about a well balanced development of the state.

2. Advise with the various state departments and bureaus and with local authorities and individuals with a view to the coordination of all physical development plans, from whatever source originating, that are related to state activities.

3. Make surveys of rural land utilization with a view to the determination, among other things, of the areas suitable for field crops, for reforestation, for watershed protection, for recreation, and for urban expansion.

4. Draft for submission to the General Assembly such regulations affecting the use and development of property as are deemed reasonable and necessary in the interest of orderly and coordinated developments, of preserving the integrity of officially approved plans or of conserving the natural resources of the State.

5. Collect and publish information relating to welfare problems affecting the people of the State of Kentucky and make such recommendations thereon to the General Assembly as may seem advisable and proper.

All public officials shall upon request furnish to such Board within a reasonable time such available information as it may require for its work. The Board, its members, officials and employees in the performance of their functions, may enter upon any land and make examinations and surveys and place and maintain necessary monuments and marks thereon. In general, the Board shall have such powers as may be necessary to enable it to fulfill the functions, promote state planning, or carry out the purposes of this act.

Every state department, commission, board or official, before requesting a legislative or executive approval of a plan or authorization of an appropriation for a major public improvement related to or affected by any general plan or plans prepared under authority of this act, or before requesting a change of use or disposition of real property owned by the State or in which the State has an interest, shall make a written request to such planning Board for its recommendations, and shall give such Board a reasonable opportunity to study and make its recommendations thereon.

§ 3. The State Planning Board shall prepare and submit to the General Assembly for adoption plans for a system of existing and proposed state highways and parkways, together with regulations essential to promote an appropriate, orderly and co-ordinated development of lands along or adjacent to such highways and parkways. Such plans and regulations shall be designed to promote health, safety and the general welfare; to facilitate the movement of through traffic; to provide for the accommodation of local traffic, cross traffic and traffic to and from the abutting frontages; to establish front yard or setback lines along abutting frontages; to regulate the location of filling stations, garages, lunch stands, outdoor advertising signs and other uses of property along the adjacent frontages; to regulate the subdivision of land along or adjacent to such highways and parkways; and to conserve scenic and historic places and the natural beauty of the countryside. Such plans and regulations may be adjusted to the varying conditions throughout the state and to the character of existing official plans and regulations in force in any county or municipality. Before approving of such plans and regulations for submission to the General Assembly the planning Board shall hold public hearings thereon. Such plans and regulations when approved by the General Assembly shall be known as the official State Highway Plan.

§ 4. It shall be the duty of such Planning Board to pre-

pare and keep up to date a long-term development program of major state improvement projects. The various state departments and officials shall prepare and submit to such Planning Board their proposals for major projects. It shall be the duty of such Planning Board to co-ordinate such plans and proposals with each other and with the general plans of such Board, and as a result to submit to the Governor and General Assembly a report at least once every two years, showing such Board's recommendations and program for improvement projects.

§ 5. The State Planning Board is hereby authorized, for the information of the State, to prepare and make maps, planning studies and surveys for the collection of data for zoning, soil conditions, land use and classification, population, distribution, schools, park and playground development, port, harbor and waterway work, parkways, highways, traffic transit, water supply drainage and sewerage, long-range financial programs, real property inventories, tax maps, building and housing conditions, subdivision control and other subjects affecting the health and welfare of the people of Kentucky.

§ 6. The State Planning Board is hereby authorized and empowered to use and expend so much of the funds coming into its hands for the purposes of this act, as may be reasonably required, as provided in Section 1, of this Act, and is hereby authorized and empowered to accept and use any funds provided by the United States Government or any Agency thereof, for such purposes. That there is hereby appropriated out of the general funds in the Treasury of the Commonwealth of Kentucky, not otherwise appropriated, the sum of $25,000 a year for the fiscal years of 1934-1935 and 1935-1936, to be expended under the supervision of the said Board, or so much thereof as may be reasonably required in carrying out the provisions of this Act.

Whereas, there is not now in existence any public body

empowered and authorized to carry out the provisions and purposes of this Act, and

Whereas, it is necessary for the immediate preservation of the public health and safety that such Act be at once placed in operation. An emergency is hereby declared to exist and this act shall be in effect after its passage and approval by the Governor.

Said Substitute is as follows, viz.:

Sub. for H. B. 543. An Act to create a State Planning Board of nine members to serve without salary and to prepare and adopt a plan or plans for the harmonious development of the state and to act in an advisory capacity with all departments of government in Kentucky in effecting long term plans for the development of Kentucky, and the preparation and submission of such plans to the General Assembly and the Governor, with respect to major State improvement projects, and to coordinate such plans and to cooperate with such planning boards of other states and with the National Planning Board and making appropriation for the expenses of such State Planning Board; declaring an emergency to exist, and repealing all conflicting laws.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That a State Planning Board is hereby created. The Board shall consist of nine members of whom five shall be selected as follows: One shall be a member of the State Highway Commission or the Chief Engineer of the Commission, whichever shall be designated by the Governor; one shall be a member of the State Board of Health or the Director of Sanitary Engineering of said Board, whichever shall be designated by the Governor; one shall be a member of the State Board of Education or the Superintendent of Public Instruction, whichever shall be designated by the Gover-

nor; one shall be the President of the University of Kentucky or a member of the faculty, whichever shall be designated by the Governor; one shall be a member of the Department of Public Welfare to be designated by the Governor. The other four members of the Board shall be appointed by the Governor, and shall serve for terms of one, two, three and four years respectively as may be designated in their initial appointments and until their successors qualify, and one of whom shall be designated by the Governor as chairman. In case of a vacancy, the Governor shall make an appointment for the unexpired term. All members shall serve without compensation, but they shall be allowed any reasonable expenses incurred in the performance of their duties under this act. The Board shall maintain offices which may be located in State Buildings at Frankfort. Five members of the Board shall constitute a quorum. The Board shall keep permanent and complete records of its proceedings, meetings, hearings, orders, and decisions. The Board is hereby authorized and empowered to employ such persons as may be necessary in the performance of its duties and in the exercise of its powers, engineering, clerical or otherwise, and pay the compensation and incur any necessary expenses, within the limits of any funds provided therefor.

§ 2. It shall be the duty of the State Planning Board to prepare or coordinate plans for the development of the State and to cooperate with such Planning Boards of other States, and with the National Planning Board and its purposes. It shall among other things:

1. Prepare and adopt plans for complete systems of state or regional highways, expressways, parkways, parks, water supply and forest reservations and airways and air terminals, and for such other things as may have particular significance in bringing about a well-balanced devolepment of the state.

2. Advice with the various state departments and bu-

reaus and with local authorities and individuals with a view to the coordination of all physical development plans, from whatever source originating, that are related to state activities.

3. Make surveys of rural land utilization with a view to the determination, among other things, of the areas suitable for field crops, for reforestation, for watershed protection, for recreation, and for urban expansion.

4. Draft for submission to the General Assembly such regulations affecting the use and development of property as are deemed reasonable and necessary in the interest of orderly and coordinated developments, of preserving the integrity of officially approved plans or of conserving the natural resources of the State.

5. Collect and public information relating to welfare problems affecting the people of the State of Kentucky and make such recommendations thereon to the General Assembly as may seem advisable and proper.

All public officials shall upon request furnish to such Board within a reasonable time such available information as it may require for its work. The Board, its members, officials, and employees in the performance of their functions, may enter upon any land and make examinations and surveys and place and maintain necessary monuments and marks thereon. In general, the Board shall have such powers as may be necessary to enable it to fulfill the functions, promote state planning, or carry out the purposes of this act.

Every state department, commission, board or official, before requesting a legislative or executive approval of a plan or authorization of an appropriation for a major public improvement related to or affected by any general plan or plans prepared under authority of this act, or before requesting a change of use or disposition of real property owned by the State or in which the State has an interest, shall make a written request to such planning Board for its recommendations,

and shall give such Board a reasonable opportunity to study and make its recommendations thereon.

§ 3. The State Planning Board shall prepare and submit to the General Assembly for adoption plans for a system of existing and proposed state highways and parkways, together with regulations essential to promote an appropriate, orderly and co-ordinated development of lands along or adjacent to such highways and parkways. Such plans and regulations shall be designed to promote health, safety and the general welfare; to facilitate the movement of through traffic; to provide for the accommodation of local traffic, cross traffic and traffic to and from the abutting frontages; to establish front yard or setback lines along abutting frontages; to regulate the location of filling stations, garages, lunch stands, outdoor advertising signs and other uses of property along the adjacent frontages; to regulate the subdivision of land along or adjacent to such highways and parkways; and to conserve scenic and historic places and the natural beauty of the countryside. Such plans and regulations may be adjusted to the varying conditions throughout the state and to the character of existing official plans and regulations in force in any county or municipality. Before approving of such plans and regulations for submission to the General Assembly the Planning Board shall hold public hearings thereon. Such plans and regulations when approved by the General Assembly shall be known as the official State Highway Plan.

§ 4. It shall be the duty of such Planning Board to prepare and keep up to date a long-term development program of major state improvement projects. The various state departments and officials prepare and submit to such Planning Board their proposals for major projects. It shall be the duty of such Planning Board to co-ordinate such plans and proposals with each other and with the general plans of such Board, and as a result to submit to the Governor and General Assembly a report at least once every two years, showing

such Board's recommendations and program for improvement projects.

§ 5. The State Planning Board is hereby authorized, for the information of the State, to prepare and make maps, planning studies and surveys for the collection of data for zoning, soil conditions, land use and classification, population distribution, schools, park and playground development, port, harbor and waterway work, parkways, highways, traffic, transit, water supply, drainage and sewerage, long-range financial programs, real property inventories, tax maps, building and housing conditions, subdivision control and other subjects affecting the health and welfare of the people of Kentucky.

§ 6. The State Planning Board is hereby authorized and empowered to use and expend so much of the funds coming into its hands for the purposes of this act, as may be reasonably required, as provided in this Act, and is hereby authorized and empowered to accept and use any funds provided by the United States Government or any Agency thereof, for such purposes. That there is hereby appropriated out of the general funds in the Treasury of the Commonweatlh of Kentucky, not otherwise appropriated, the sum of $25,000 a year for the fiscal years of 1933-1934 and 1934-1935, to be expended under the supervision of the said Board, or so much thereof as may be reasonably required in carrying out the provisions of this Act.

§ 7. This Act is hereby declared to be an emergency law and necessary for the immediate preservation of the public health and safety, and being passed upon a yea-and-nay vote, supported by a majority of the members elected to each of the two houses of the General Assembly, the same shall take effect from the date of its passage and approval by the governor. All laws or parts of laws in conbict herewith are repealed to the extent of such conflict.

Mr. Evans moved that said bill be laid on the table.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Evans and Sartin, were as follows, viz.:

Those who voted in the affirmative were—

Carroll D. Asbury	W. J. Garnett	James B. Milliken
Levi Baker	Ralph Gilbert	Rodes K. Myers
Marshall Barnes	C. Gottschalk	Robert A. Persky
B. F. Bedford	Frank Harris	James I. Peters
O. J. Bowen	J. Joseph Hettinger	Steve Pieratt
Corbett Brown	John R. Hobbs	Kleber F. Price
Wallace Brown	Ira W. Hulette	G. M. Pritchett
Frank C. Bruton	G. C. Johnson	Pat Rankin
J. A. Coleman	John Kirtley	W. P. Renfro
Sidney J. Collins	Alden L. Love	L. D. Sandlin
Joel T. Crenshaw	Herschel McKinley	Avery Sartin
S. S. Dickson	C. C. McMasters	Jos. W. Schneider
George Dunlap	Roy McWaters	Harry Sparks
Garland Embry	C. C. May	John W. Taylor
Clarence E. Evans	J. S. Mattingly	Elmore J. Thomas
T. P. Fitzpatrick	L. B. Meadors	Harry B. Thornton
J. B. Floyd	Clarence Miller	Starling B. Tracy
Kelly J. Francis	W. H. Miller	J. B. Wicker

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Those who voted in the negative were—

Harold L. Barnes	Ferd A. Gnau	Glenn W. Lane
Reuben J. Boling	Judson Harmon	M. T. McCarthy
D. B. Coughlin	Dr. A. L. Hill	G. Samuel Milam
R. A. Demunbrun	T. M. Johnson	Tyler Munford
Rudy Ferguson	J. H. King	Waylon Rayburn
L. J. Gammon	W. L. Knuckles, Jr.	J. Sterling Towles

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The House took up for consideration from the Orders of the Day a Resolution entitled:

H. Res. 36. Resolution authorizing the State Highway Commission of Kentucky to pay Russell County the sum of $2,933.75.

Said resolution is as follows, viz.:

WHEREAS, during the years of 1929 and 1930, the State Highway Commission surveyed and located the right-of-way for a road between Jamestown in Russell County, Kentucky, and Albany in Clinton County, Kentucky, being a part of Federal Highway No. 35; and,

Whereas, the Fiscal Court of Russell County, at the instance and request of the State Highway Commission, as authorized and directed by Section 4356t-7, Kentucky Statutes, 1930 Edition, obtained by condemnation proceedings and otherwise deeds in fee simple to said right-of-way, at a total cost to Russell County of $2,933.75, which deeds were executed and delivered to the Commonwealth of Kentucky and recorded in the Clerk's office at Russell County; and,

Whereas, the State Highway Commission in the year 1932 abandoned the right-of-way acquired in 1929 and 1930, and made a new location of said road in Russell County; and,

Whereas, the Fiscal Court of Russell County, at the instance and request of the State Highway Commission, were required to and did obtain by condemnation proceedings and otherwise, the right-of-way on the new location and secured deeds in fee simple to such right-of-way executed to the Commonwealth of Kentucky; and,

Whereas, the State Highway Commission is constructing the road on the last named right-of-way; and,

Whereas, the sum of $2,933.75, which was expended by Russell County through its Fiscal Court for the right-of-way first acquired was a total loss to said county: Now, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the State Highway Commission of Kentucky pay

Russell county the sum of $2,933.75, which sum was expended by the Fiscal Court of Russell County at the instance and request of the State Highway Commission for right-of-way which the Commission has abandoned and the Auditor of Public Accounts will draw his warrant in favor of Russell County for the said sum of $2,933.75, payable out of the road funds, and the Treasurer of the Commonwealth of Kentucky will pay said warrant when presented if he has funds available to pay said sum; otherwise, he will pay same as soon as funds are available. The State Highway Commission will certify this claim to the Auditor for payment as other claims are certified.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Carroll D. Asbury	J. A. Coleman	L. J. Gammon
Levi Baker	Sidney J. Collins	W. J. Garnett
Harold L. Barnes	Joel T. Crenshaw	Ralph Gilbert
Robert E. Beatty	Carroll L. Cropper	Ferd A. Gnau
B. F. Bedford	Harry Davis	C. Gottschalk
Reuben J. Boling	R. A. Demunbrun	J. S. Hall
Jas. C. Bright	S. S. Dickson	W. Yancey Handy
Corbett Brown	George Dunlap	Judson Harmon
Wallace Brown	Garland Embry	Frank Harris
Frank C. Bruton	Clarence E. Evans	J. Joseph Hettinger
Hugh K. Bullitt	Rudy Ferguson	Dr. A. L. Hill
Mrs. Cecil Cantrill	J. B. Floyd	John R. Hobbs
Charles Chandler	Kelly J. Francis	Ira W. Hulette

G. C. Johnson	L. B. Meadors	Avery Sartin
T. M. Johnson	G. Samuel Milam	Mrs. M. B. Scott
J. H. King	W. H. Miller	Harry Sparks
Leo King	James B. Milliken	John W. Taylor
John Kirtley	James I. Peters	Elmore J. Thomas
W. L. Knuckles, Jr.	M. D. Phelps	Harry B. Thornton
Glenn W. Lane	Kleber F. Price	J. Sterling Towles
M. T. McCarthy	Pat Rankin	Starling B. Tracy
Herschel McKinley	Waylon Rayburn	B. M. Williams
C. C. McMasters	W. P. Renfro	
C. C. May	L. D. Sandlin	—70

Those who voted in the negative were—

Alden L. Love	H. H. Miller	J. B. Wicker
Roy McWaters	Steve Pieratt	
J. S. Mattingly	Robert E. Webb	—7

Resolved that the title thereof be as aforesaid.

Mr. Phelps moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a bill entitled:

S. B. 191. An Act providing for the licensing of agents of life insurance companies and providing for the revocation thereof.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No person shall act within this Commonwealth for

any life insurance company as an agent in the solicitation or procurement of applications for insurance unless he has complied with the provisions of this Act and has secured a license from the Insurance Commissioner.

§ 2. Each applicant for such license shall file with the Insurance Commissioner his written application therefor on blanks and/or supplements furnished by the Commissioner, which application shall be signed and sworn to by the applicant and shall give his name, age, residence, place of business and occupation for five years next prior to the date of application and also set forth his qualifications for such license; namely, his familiarity with the life insurance laws of this Commonwealth and with the provisions of the contracts to be negotiated; what insurance experience he has had, if any; what insurance instruction he has had or expects to receive; whether he has been refused, or has had suspended or revoked, a license to solicit insurance by the insurance department or supervising officials of any state; whether any insurance company or any general agent claims such applicant is indebted under any agency contract or otherwise, and if so, the name of the claimant, the nature of the claim and the applicant's defense thereto, if any; whether he has had an agency contract canceled, and if so, when, by what company or general agent and the reason therefor, and such additional information, if any, that the Commissioner may require.

The applicant shall be vouched for by an official or by a duly authorized representative of the company for which the applicant proposed to act, who shall certify whether the applicant is personally known to him, whether the applicant has been appointed an agent to represent such company, and that such company has duly investigated the character and record of such person, and has satisfied itself that he is trustworthy and qualified to act as its agent and intends to hold himself out in good faith as a life insurance agent.

If, upon the showing made, the Insurance Commissioner is reasonably satisfied that the applicant is a trustworthy and properly qualified person he shall promptly issue the license applied for.

§ 3. An agent licensed to represent any life insurance company doing business in this State shall be entitled to place excess or rejected risks in any other company lawfully doing business in this State, with the knowledge and approval of his own company without additional or separate license.

§ 4. Every license issued under this Act shall expire annually on March 1st unless prior thereto it is revoked or suspended by the Insurance Commissioner or the authority of the Agent to act for the company is terminated.

§ 5. Every life insurance company shall, upon the termination of the employment of any agent, file with the Insurance Commissioner a statement of the facts relative to the termination of such employment and the cause thereof. Any information, document, record, statement or thing required to be made or disclosed to the Insurance Commissioner by this Act, shall be privileged and shall not be used as evidence in any action or proceeding instituted against the company or any representative thereof by or in behalf of any person who has been licensed under the provisions of this Act.

§ 6. The Insurance Commissioner may suspend or revoke the license of any life insurance agent if, after due investigation, notice and a hearing, either before him or his deputy, he determines that such license has been secured by fraud or misrepresentation; or that the agent has violated any insurance law of this Commonwealth; or has made any misleading representations and/or incomplete and/or fraudulent comparison of any policies or companies or concerning any companies to any person for the purpose or with the intention of inducing such person to lapse, forfeit or surrender his insurance then in force; or has made any misleading estimate of the dividends or share or surplus to be received on a policy;

or has failed or refused to pay or to deliver to the company or to his principal any money or other property in the hands of said agent belonging to such company or principal when requested so to do; or has violated any lawful ruling of the insurance department; or has been convicted of a felony; or has otherwise shown himself untrustworthy or incompetent to act as a life insurance agent.

Before the Insurance Commissioner shall revoke or suspend any such license he shall give to the agent and to the company which he represents written notice of the charges and of the hearing, not less than ten days prior to the time set for such hearing. Such notice shall be forwarded by registered mail addressed to the agent at his known address, and to the company at its principal place of business. Full opportunity shall be given at such hearing to the agent and to the company to appear with counsel and be heard upon such charges.

Within thirty days after the revocation or suspension of license or the refusal of the Insurance Commissioner to grant a license, the agent or applicant aggrieved may appeal from the ruling of the Insurance Commissioner to the Franklin Circuit Court. Appeals may be taken from the judgment of said court as in other civil cases.

§ 7. In the absence of a contrary ruling by the Insurance Commissioner, license renewals shall be issued from year to year upon written requisition of the company without further action on the part of the agent.

§ 8. No officer or traveling salaried employee of any insurance company not compensated on a commission basis shall be required to obtain a license under this Act.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Carroll D. Asbury	Garland Embry	G. Samuel Milam
Levi Baker	Clarence E. Evans	H. H. Miller
Harold L. Barnes	Rudy Ferguson	W. H. Miller
Wm. B. Belknap	Kelly J. Francis	Tyler Munford
Jas. C. Bright	W. J. Garnett	Robert A. Persky
Corbett Brown	Ralph Gilbert	James I. Peters
Wallace Brown	J. S. Hall	M. D. Phelps
Frank C. Bruton	J. Joseph Hettinger	Steve Pieratt
Hugh K. Bullitt	Dr. A. L. Hill	G. M. Pritchett
Mrs. Cecil Cantrill	G. W. Howard	Waylon Rayburn
Charles Chandler	G. C. Johnson	W. P. Renfro
J. A. Coleman	Leo King	L. D. Sandlin
Sidney J. Collins	J. H. King	Avery Sartin
D. B. Coughlin	John Kirtley	Mrs. M. B. Scott
Joel T. Crenshaw	W. L. Knuckles, Jr.	Harry B. Thornton
Carroll L. Cropper	Glenn W. Lane	Starling B. Tracy
W. J. Curtis	Alden L. Love	Henry T. Ward
Harry Davis	M. T. McCarthy	Robert E. Webb
R. A. Demunbrun	Herschel McKinley	J. B. Wicker
S. S. Dickson	Roy McWaters	B. M. Williams
George Dunlap	C. C. May	—61

There voted in the negative—

J. S. Mattingly —1

Resolved that the title thereof be as aforesaid.

Mr. Ferguson moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 585. An Act to authorize Cities of the First Class to purchase, establish, erect, maintain and operate Low Cost Housing Projects; and to issue bonds therefor payable from the revenues of such Low Cost Housing Projects and secured by lien on the net revenue therefrom and on the land and improvements embraced in such projects; providing for a Municipal Housing Commission in said Cities of the First Class to establish, erect, maintain and operate such Municipal Housing Projects, and fixing the powers and duties of such Commission; and providing for the sale or distribution of such Low Cost Housing Projects with the approval and consent of the legislative body of the municipality in question.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. Cities of the First Class are hereby authorized and empowered to acquire, establish, erect, maintain and operate low cost housing projects within the corporate limits of such municipality and under the provisions of this act, for the purpose of providing adequate and sanitary living quarters for individuals or families.

§ 2. The Mayor of any city of the first class, with the approval of the legislative body of the city, may appoint four persons, who, with the Mayor, ex officio, shall constitute the Municipal Housing Commission.

Each person so appointed to the said Municipal Housing Commission shall be at least twenty-five years of age and a bona fide resident of such municipaltiy for not less than one year preceding such appointment. No officer or employee of said city, whether holding a paid or unpaid office, shall be eligible to hold an appointment on such commission. Such

appointees shall be originally appointed for terms of four years. Upon the expiration of such term, appointment shall be made in like manner except that the terms of the four appointees shall be for one year, two years, three years and four years respectively, and the successors of such appointees shall be appointed in like manner, each for a period of four years. Not more than two of such appointees on any Commission shall be affiliated with the same political party. Vacancies shall be filled for any unexpired term in the same manner as the original appointment.

The persons appointed as provided herein shall constitute a body corporate under the name of (Insert name of city) Municipal Housing Commsision, and shall have power to contract and be contracted with, to sue and be sued in such name and to adopt a seal and alter same at pleasure. Such Commission shall elect a Chairman and a Vice Chairman from its members, and a Secretary and Treasurer who need not be a member of such Commission. The duties of the offices of Secretary and Treasurer may be performed by the same person.

The members of such commission, except the Mayor, shall receive such compensation as may be fixed by the legislative body of the city either as a salary or as payment for meetings attended, but the maximum compensation of the Chairman in any year shall not exceed $2,000.00 and of each other member shall not exceed $400.00 per year. Such Commission shall fix the compensation of the secretary and treasurer or secretary-treasurer in its discretion except as hereinafter provided or as may be provided by the legislative body of said city of the first class.

Such Commission shall have power to establish By-Laws, rules and regulations for its own government and to make and enter into all contracts or agreements necessary or incidental to the performance of its duties and the execution of its powers under this act.

Such Commission may employ engineering, architectural

and constructural experts and inspectors and attorneys, and such other employees as may be necessary in its opinion, and fix their compensation subject to the limitations hereinafter provided and/or as may be hereinafter provided by the legislative body of said city of the first class, all of whom shall do such work as said Commission shall direct; provided, however, that the legislative body of said city or cities of the first class may provide or prescribe whether or not said employees or any of them shall be required to devote their entire time to their duties as such employees of said Commission. All salaries and compensation shall be solely from funds provided under the authority of this act.

§ 3. The words "Municipal Low Cost Housing Project," whenever used in this act, shall mean buildings containing rooms or sets of rooms to be leased as living quarters for families or individuals, together with such shops, stores, garages, laundries, doctors' and dentists' offices and other facilities and appurtenances as may, in the judgment of the Commission, be reasonably necessary to the successful and economical operation of the project.

§ 4. The Municipal Housing Commission shall submit to the City Planning and Zoning Commission of said city or cities of the first class the plans, specifications and full details of any and all housing projects proposed by the said Municipal Housing Commission for the approval of said plans and specifications and the desirability of locating a low cost housing project in a given neighborhood. In the event that the City Planning and Zoning Commission disapproves or rejects either the plans and/or specifications of locating said low cost housing project in a given neighborhood the said Planning and Zoning Commission shall indicate its reasons to the legislative body of the said city of the first class, which shall have the power to overrule such disapproval by a record vote of not less than two-thirds of its entire membership. The failure of the City Planning and Zoning Commission to act within sixty

days from and after the date of such plans, specifications and location of the proposed low cost housing project is submitted to it, the said plans so submitted to the City Planning and Zoning Commission by the Municipal Housing Commission shall be deemed approved.

The commission, appointed as herein provided, is hereby authorized and it shall be its duty to prepare the necessary and proper plans and specifications for the construction of low cost housing projects, to select the location or locations for same, determine the size, type and method of construction thereof, to make the necessary estimates of the probable cost of construction and of the acquisition of the land and rights for the sites thereof in a manner hereinafter provided, to enter into the necessary contracts to build the necessary buildings, and to cause a survey and map to be made of all lands, structures, right-of-ways, franchises, easements or other interests in lands, owned by any person or corporation, the acquisition of which may be deemed necessary for the construction of such low cost housing project, and to cause such map and survey to be filed in its office.

The members of such Commission, or its agents and employees, may after reasonable notice to the occupants, owners or owners' agent in charge thereof, may enter upon such lands and structures, notwithstanding any interest in said lands and structures, for the purpose of making such surveys and maps, provided, however, that such Commission shall not proceed to exercise or carry out any authority or power herein given it to bind said Commission beyond the extent to which money has been provided under the authority of this act. No contract or agreement with any contractor or contractors for the construction of such low cost housing project exceeding in amount the sum of $2,000.00 shall be made without advertising for bids, which bids shall be opened publicly and an award made to the best bidder, with power in the Commission to reject any or all bids.

§ 5. The Commission, appointed as herein provided, is hereby authorized to acquire by gift, devise, bequest, or purchase solely from the funds provided under the authority of this act, such lands, structures, right-of-ways, franchises, easements, or other interests in land necessary for the building of said low cost housing projects upon such terms, prices or considerations as may be considered by the Municipal Housing Commission to be reasonable and can be agreed upon between said Commission and the owner or owners thereof; provided, however, that the Commission shall not acquire improved real estate by purchase or condemnation as provided for in Paragraph 6 hereof from any person, firm or corporation other than an agency of the Federal Government, or a limited dividend organized under the laws of this state, except for the purpose of demolishing such existing improvements and erecting new low cost housing on said real estate.

Title to all property acquired by the Commission shall be taken in the name of the (Insert name of city) Municipal Housing Commission.

§ 6. Whenever it shall become necessary to condemn property within said city for the purpose of constructing any low cost housing project, or securing right-of-ways leading thereto, the Commission may condemn any interest, franchises, easements, rights, or privileges, land or improvements, which may in its opinion, be necessary for the purpose of constructing said low cost housing project. The condemnation shall be had in the name of the Commission and the method thereof shall be the same as that provided for the condemnation for appropriate municipal purposes by cities of the first class. No payment or award in any condemnation proceedings, or for the cost of such proceedings, or the expense thereof shall be made except from funds provided under the authority of this act.

§ 7. All individuals or corporations having buildings, structures, works, conduits, mains, pipes, tracts or other

physical obstruction in, under, over or upon the public streets, lanes, alleys, highways, and which shall interfere with or impede the progress of such low cost housing project, when in process of construction and establishment, shall, upon reasonable notice from such Commission, promptly so shift, adjust, accomodate or remove the same at their own cost and expense, except as otherwise provided or required by law, as fully to meet the exigencies occasioning such action and the city legislative body shall have full power by ordinance to prescribe the penalty of such failure.

§ 8. Such Commission shall operate, manage, and control low cost housing projects in their entirety, fix the rate of rentals, establish by-laws and rules and regulations for the use and operation thereof not inconsistent with the provisions of this act or the legislation or ordinances adopted or ordained by the legislative body of such city of the first class, and select such employees as it deems necessary and fix their compensation, subject also to the provisions and limitations prescribed herein and as may be prescribed in the legislation or ordinances adopted or ordained by the legislative body of such city of the first class.

§ 9. Any public ways or public works damaged or destroyed by reason of the building of such low cost housing projects shall be restored or repaired by such Commission and placed in their original condition as near as practicable.

§ 10. Nothing contained in this act shall be construed to authorize or permit any city of the first class to incur any indebtedness of any kind or nature as contemplated by the provisions of the constitution of the Commonwealth in relation to the indebtedness of such cities.

Cities of the first class are hereby authorized to provide funds for carrying out the purpose of this act by the issuance of bonds approved by a resolution of the Municipal Housing Commission, and by an ordinance adopted by the Board of Aldermen, or its successor, as the legislative body of such

city, and without a vote of the voters, which bonds shall have, and are hereby declared to have, in the hands of bona fide holders, all of the qualities of negotiable instruments under the law merchant and/or the negotiable instruments act of the State of Kentucky. Payment of the principal and interest of said bonds shall be made solely from the special funds herein provided for that purpose, and may be secured by a lien on the land and improvements embraced in the low cost housing project, or projects, against which said bonds are respectively issued; but no bonds issued hereunder shall constitute an indebtedness of such city within the meaning of the constitutional provisions or limitations. The bonds issued hereunder shall bear interest at the rate of not more than 5% per annum, payable semi-annually, the exact rate to be fixed in the ordinance of the legislative body of such city authorizing same, and said bonds shall mature at such time as may be fixed by the legislative body of such city in said ordinance authorizing same and in not more than 40 years from the date same are respectively issued, and may be made redeemable at the option of the Commission at not more than the par value thereof, plus accrued interest, and a premium of 5% of the principal of the bonds so redeemed upon such terms and conditions as said legislative body of such city of the first class may fix prior to the issuance of such bonds; provided, however, that such terms and conditions shall require that the bonds to be redeemed before maturity shall be selected by lot from the whole number of such issue then outstanding. All bonds so redeemed or purchased by the Commission shall forthwith be canceled and shall not again be issued.

Such Commission shall provide the form of such bonds including coupons to be attached thereto to evidence interest payment, which bonds shall be signed by the Chairman of the Commission and by the chief executive officer of the city under the city's seal, attested by a financial officer of the city, and which coupons shall bear the facsimile signature of said

chairman and said chief executive officer, and shall fix the denomination or denominations of such bonds and the place or places of payment of the principal and interest thereof which may be at the office of the City Treasurer and/or any bank or trust company in the Commonwealth of Kentucky or in the City of New York. The said bonds shall be exempt from taxation by the Commonwealth of Kentucky and by the municipalities and political subdivisions thereof. It shall be plainly stated on the face of each bond that same has been issued under the provisions of this act and that it does not constitute an indebtedness of such city within the meaning of any constitutional provisions or limitations.

Such Commission may provide for the registration of such bonds in the name of the owner as to principal alone, or as to both principal and interest. Such bonds, except as hereinafter provided, may be sold in such manner as the Commission may determine to be for the best interest of the city, taking into consideration the financial responsibility of the purchaser and the terms and conditions of the purchase and especially the availability of the proceeds of the bonds when required for payment of the cost, such sale to be not less than ninety-five cents (95c) on the dollar and accrued interest, and the proceeds of such bonds shall be used solely for the payment of the cost of the low cost housing project or projects, as such cost is defined in this act, and be checked out by the chairman or vice-chairman of the Commission and the secretary and treasurer thereof, and under such further restrictions, if any, as the legislative body of said city and Commission may provide. If the face amount of such bonds, less any discount on the sale thereof not exceeding five per centum (5%) of the face value as permitted by this act, shall exceed such cost, the surplus shall be paid into the fund hereinafter provided for payment of the principal and interest of such bonds. Prior to the preparation of definitive bonds the Commission may under like restrictions and as hereinafter pro-

vided issue temporary bonds, with or without coupons, exchangeable for definitive bonds upon the issuance of the latter.

Such Commission may enter into an agreement with any trust company in the Commonwealth as trustee for the holders of such bonds, setting forth the duties of the city and the Commission in respect of the construction, maintenance, operation and insurance of such low cost housing project, the conservation and application of all funds, the insurance of moneys on hand or on deposit and the rights and remedies of said trustee and the holders of such bonds, restricting the individual right of action of bondholders as is customary in trust agreements respecting bonds of corporations. Said trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustees and the bondholders as may be reasonable and proper, and also a provision for approval by the original bond purchasers of the appointment of consulting engineers and of the security given by purchasers of the appointment of consulting engineers and of the security given by the contractors and by any bank or trust company in which the proceeds of bonds or rentals or other moneys of the Commission shall be deposited, and may provide that no contract for construction shall be made without the approval of the consulting engineers. The said bonds may be issued without a vote of the voters and without any other proceeding or happenings or any other conditions or things than those proceedings, conditions and things which are specified and required by this act or by the Constitution of the Commonwealth.

§ 11. The rents to be charged for the use of any premises in any low cost housing project construed under the provisions of this act shall be fixed at a rate which will provide a fund sufficient to pay the interest and principal of the bonds issued under this act as said payments respectively fall due, and to provide a sufficient fund to pay the cost of maintaining, repairing and operating such project; and to create such reserve for depreciation as the Commission may deem neces-

sary and proper. The excess, if any, of the rents received during any annual period, over the amount necessary to pay such cost of maintaining, repairing and operating said project, and of providing the reserve for depreciation hereinabout referred to, shall be placed in a special fund and used for the purpose of paying the principal and interest of said bonds as same respectively become due.

§ 12. When all the bonds issued under the provisions hereof, secured by a lien on the net rents derived from, and the land and improvements embraced in, a given low cost housing project or projects, together with the interest thereon, have been paid, or a sufficient amount has been accumulated in the special fund referred to in Paragraph 11 hereof to pay the principal and interest of said bonds, the net annual rents derived from such project or projects, after deducting such amount as is, in the judgment of the Commission, reasonably necessary to defray the cost of maintaining, repairing and operating said project, and to provide such reserve for depreciation as the Commission deems necessary and proper, shall be paid into the sinking fund of such city to be used for the purposes set forth in Section 3010-8 and Section 3010-9 of Carroll's Kentucky Statutes, 1930 Edition.

§ 13. After all the bonds, the payment of which is secured by a lien on the net rents derived from, and the land and improvements embraced in, a given low cost housing project or projects have been paid, the Commission may, with the consent and approval of said legislative body of such city, sell and dispose of the land and improvements embraced in such project or projects to the highest and best bidder at public sale, notice of which has been given by publication once a week for eight successive weeks immediately preceding such sale in a newspaper printed in the English language of general circulation in the said city of the first class, and upon such other terms and conditions as the legislative body of such city shall, by ordinance, provide, and the Commission approve. The proceeds derived from any such sale of the land and im-

provements embraced in any low cost housing project or projects shall be paid into the sinking fund of said city for the purposes set out in Paragraph 12 hereof.

§ 14. The Municipal Housing Commission shall have power, by contract with the owners thereof, to manage and/or operate any low cost housing project erected and/or owned by the Federal Emergency Housing Corporation or any other Governmental Agency.

§ 15. In view of present depressed economic conditions and the widespread unemployment, and whereas it is urgent and necssary to stimulat business for the purpose of increasing opportunities for employment of persons out of employment and to assist the Federal Government in its efforts to bring about a recovery in business throughout the nation and in the Commonwealth of Kentucky, an emergency is declared to exist, and this act shall become effective from and after its passage and approval.

§ 16. Should any section, clause or provision of this act be declared by the court to be invalid, the same shall not effect the validity of the act as a whole or any part thereof, other than the part so declared to be invalid.

Mrs. Cantrill offered the following amendment to said bill, viz.:

Amend H. B. 585 by inserting the words "second class" immediately following the word "class" in the following sections of the printed bill: Section 1, line 1, Sec. 2, line 1, Sec. 2, line 34, Sec. 2, line 43, Sec. 2, line 46, Sec. 4, line 2, Sec. 4, line 11, Sec. 6, line 9, Sec. 8, line 6, Sec. 8, line 10, Sec. 10, line 2, Sec. 10, line 5, Sec. 10, line 29, Sec. 13, line 10; and further by striking out the words "the board of aldermen or its successors as" in Sec. 10, line 8, of the printed bill: and further by adding the words "and other applicable sections" immediately following "3010-9" in Section 12, line 13, of the printed bill.

Said amendment was then agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Levi Baker	Garland Embry	G. Samuel Milam
Harold L. Barnes	Clarence E. Evans	H. H. Miller
Wm. B. Belknap	Rudy Ferguson	W. H. Miller
Reuben J. Boling	Kelly J. Francis	James B. Milliken
O. J. Bowen	W. J. Garnett	Tyler Munford
Jas. C. Bright	Ralph Gilbert	Robert A. Persky
Corbett Brown	Ferd A. Gnau	M. D. Phelps
Wallace Brown	J. S. Hall	Steve Pieratt
Frank C. Bruton	Judson Harmon	Waylon Rayburn
Hugh K. Bullitt	Frank Harris	W. P. Renfro
Mrs. Cecil Cantrill	J. Joseph Hettinger	L. D. Sandlin
Sidney J. Collins	Dr. A. L. Hill	Avery Sartin
D. B. Coughlin	Ira W. Hulette	Jos. W. Schneider
Joel T. Crenshaw	J. H. King	Mrs. M. B. Scott
Carroll L. Cropper	Leo King	Harry Sparks
G. Cunningham	John Kirtley	Starling B. Tracy
W. J. Curtis	Glenn W. Lane	Henry T. Ward
Harry Davis	Alden L. Love	Robert E. Webb
R. A. Demunbrun	Herschel McKinley	J. B. Wicker
S. S. Dickson	C. C. May	B. M. Williams
George Dunlap	J. S. Mattingly	—62

Those who voted in the negative were—

J. A. Coleman	C. Gottschalk	—2

Resolved that the title thereof be as aforesaid.

Mrs. Cantrill offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 585 by inserting the words "second class" immediately following the word "class" in line 1; and by adding the words "second class" immediately following the word "class" in line 6; and by adding the words "and declaring an emergency to exist requiring that this act take effect from the date of its passage and approval" immediately following the word "question" in line 10, of the title to the printed bill.

Said amendment was agreed to.

Ordered that the title thereof be as amended.

Mr. Bullitt moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The Enrolling Clerk of this House delivered the original and enrolled copies of a bill entitled:

H. B. 1. An Act to recodify the school laws of the State.

Which was signed by the Speaker in open session and in the presence of the House, on March 5.

Duly signed by the President of the Senate, into the possession of the Chief Clerk of this House.

Ordered that the Chief Clerk deliver said bill to the Governor.

After a time the Chief Clerk reported that he had discharged that duty.

Dr. Hill moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

THURSDAY, MARCH 8, 1934.

The House was opened with prayer by the Reverend Olaf Anderson of the Presbyterian Church, South, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

Henry H. Allen	W. J. Curtis	John R. Hobbs
Carroll D. Asbury	Harry Davis	G. W. Howard
Levi Baker	R. A. Demunbrun	Ira W. Hulette
Harold L. Barnes	S. S. Dickson	G. C. Johnson
Marshall Barnes	George Dunlap	T. M. Johnson
Robert E. Beatty	Garland Embry	F. P. Kessee
B. F. Bedford	Clarence E. Evans	J. H. King
Reuben J. Boling	Rudy Ferguson	Leo King
O. J. Bowen	T. P. Fitzpatrick	John Kirtley
Jas. C. Bright	J. B. Floyd	W. L. Knuckles, Jr.
Corbett Brown	Kelly J. Francis	Glenn W. Lane
Wallace Brown	L. J. Gammon	Alden L. Love
Frank C. Bruton	W. J. Garnett	M. T. McCarthy
Hugh K. Bullitt	Ralph Gilbert	George R. McIntosh
Mrs. Cecil Cantrill	Ferd A. Gnau	Herschel McKinley
Charles Chandler	C. Gottschalk	Roy McWaters
J. A. Coleman	J. S. Hall	C. C. May
Sidney J. Collins	W. Yancey Handy	J. S. Mattingly
D. B. Coughlin	Frank Harris	L. B. Meadors
Joel T. Crenshaw	R. M. Harrison, Jr.	G. Samuel Milam
Carroll L. Cropper	J. Joseph Hettinger	Clarence Miller
G. Cunningham	Dr. A. L. Hill	H. H. Miller

W. H. Miller	G. M. Pritchett	Elmore J. Thomas
James B. Milliken	Pat Rankin	Harry B. Thornton
Tyler Munford	Waylon Rayburn	J. Sterling Towles
Rodes K. Myers	W. P. Renfro	Starling B. Tracy
Richard H. Nufer	L. D. Sandlin	Henry T. Ward
Robert A. Persky	Avery Sartin	Robert E. Webb
James I. Peters	Jos. W. Schneider	J. B. Wicker
M. D. Phelps	Mrs. M. B. Scott	B. M. Williams
Steve Pieratt	Harry Sparks	W. E. Rogers, Spr.
Kleber F. Price	John W. Taylor	

Mr. Rayburn moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Rayburn moved that the privilege of the floor be extended to Messrs. Hale, Wagner and Jetlon of Murray, Kentucky.

Said motion was agreed to.

Dr. Hill moved that the session of today be extended indefinitely.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred, as follows, viz.:

By Mr. Embry:

H. B. 862. An Act relating to the Primary System of Roads and Highways.

By Mr. Phelps:

H. B. 863. An Act relating to the Primary System of Roads and Highways.

By Mr. Bruton:

H. B. 864. An Act relating to the Primary System of Roads and Highways.

By same:

H. B. 865. An Act relating to the Primary System of Roads and Highways.

By same:

H. B. 866. An Act relating to the Primary System of Roads and Highways.

By same:

H. B. 867. An Act relating to the Primary System of Roads and Highways.

By Mr. Keesee:

H. B. 868. An Act relating to the Primary System of Roads and Highways.

By same:

H. B. 869. An Act relating to the Primary System of Roads and Highways.

By Mr. Meadors:

H. B. 870. An Act providing that coal operators shall permit their employees to cultivate all tillable land owned,

leased or controlled by them in the vicinity of their mining operations.

By same:

H. B. 871. An Act relating to the Primary System of Roads and Highways.

By Mr. Sartin:

H. Res. 74. A resolution authorizing Bud Phillpot to sue the State Highway Commission, the Commonwealth of Kentucky, or either.

By Mr. Marshall Barnes:

H. Res. 75. Resolution authorizing Ohio County to sue the State Road Commission and the Commonwealth of Kentucky.

By Mr. Demunbrun:

H. B. 892. An Act relating to the Primary System of Roads and Highways.

To Committee on Rules.

Mr. Taylor offered the following resolution, viz.:

WHEREAS, the Legislative Lobby Investigating Committee has degenerated into a Committee investigating insignificant, irrelevant, and immaterial things and calling witnesses to learn who wrote the pointed, true, and humerous article, the Psalm of Politics, to the Point of View Column in the Courier Journal, and

Whereas, said Committee has become ridiculous and it's conduct greatly discredits this Legislature, Therefore

Be It Resolved by the House of Representatives, That

(1) The unknown writer of the Psalm of Politics be and is hereby commended for his acute insight into the workings of this House, for his sense of humor as shown in his writing of the Psalm of Politics;

(2) That said Committee be censured and condemned for taking up such investigations and that said Committee is hereby repudiated and discharged from further duty;

(3) That this House has refused to investigate an unfaithful public officer and is now investigating silly matters.

Ordered that said resolution be referred to Committee on Rules.

The hour of twele o'clock Meridian having arrived, Dr. Hill moved that the House do now recess until one-fifteen o'clock p. m.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of one-fifteen o'clock p. m. having arrived, the Speaker resumed the Chair and called the House to order.

Without objection and at the instance of the Committee on Rules, the following bills were introduced, ordered printed and referred as follows, viz.:

By Mr. Evans:

H. B. 872. An Act relating to the Primary System of Roads and Highways.

By same:

H. B. 873. An Act relating to the Primary System of Roads and Highways.

By Mr. Meadors:

H. B. 874. An Act to assist disabled Spanish War Veterans in obtaining from the government the relief authorized by Acts of Congress creating for that purpose the Kentucky Spanish War Veterans Board and appropriating funds therefor.

By Mr. Ferguson:

H. B. 875. An Act providing that the Commissioner of Agriculture, Labor and Statistics, and the Kentucky State Board of Agriculture, shall have exclusive supervision and control over the Kentucky State Fair, etc.

By Mr. Belknap:

H. B. 876. An Act relating to Roads and Highways.

By same:

H. B. 877. An Act relating to Primary System of Roads and Highways.

By same:

H. B. 878. An Act relating to the Primary System of Roads and Highways.

By same:

H. B. 879. An Act relating to the Primary System of Roads and Highways.

By Mr. Sandlin:

H. B. 880. An Act relating to the Primary System of Roads and Highways.

By same:

H. B. 881. An Act relating to the Primary System of Roads and Highways.

By Mr. Thornton:

H. B. 882. An Act relating to the Primary System of Roads and Highways.

By same:

H. B. 883. An Act relating to the Primary System of Roads and Highways.

By Mr. Tackett:

H. B. 884. An Act amending Section 1881a-1, Carroll's Kentucky Statutes, 1930 Edition.

By Mr. Harmon:

H. Res. 76. Resolution authorizing Jeff Hickman to sue the Commonwealth of Kentucky and the State Highway Commission.

To Committee on Rules.

At the instance of the Committee on Rules, the following bills and resolutions were reported, viz.:

H. B. 727. An Act relating to the regulation of Road

Houses, Eating and Drinking Stands and other places of Public Entertainment, outside the limits of incorporated towns and cities.

H. B. 794. An Act to amend Section 938d of the Kentucky Statutes, Carroll's Edition, 1930, relating to county libraries.

H. B. 766. An Act relating to revenue and taxation and imposing certain license fees to engage in business in the poultry industry, etc.

H. B. 850. An Act disqualifying persons for jury service in Circuit Courts who are not residents, citizens and legal voters of the county, etc.

H. B. 686. An Act to amend and Act known as Chapter 165 of the Acts of the General Assembly of 1930, as amended by an Act known as Chapter 115 of the Acts of 1932, relating to creation of water districts in the counties of the State, etc.

H. B. 470. An Act appropriating $500.00 per year to the inter-state reference bureau of the American Legislators Association.

H. B. 469. An Act creating an inter-state legislative association committee; appropriating the sum of $500.00 to defray the expenses of said committee.

H. Res. 69. A Resolution providing for furnishing Kentucky Directories.

H. Res. 68. Resolution authorizing William Cox to sue the Commonwealth of Kentucky.

H. B. 642. An Act to repeal, amend and re-enact Section

4042a-8 of the Kentucky Statutes, relating to the compensation of tax commissioner, his deputies, etc.

H. B. 546. An Act to amend Section 33½ of Chapter 170 of the Acts of 1926 Session of the General Assembly of the Commonwealth of Kentucky, etc., relating to the State Budget Commission.

H. B. 791. An Act providing for the enforcement of the bag and size limit on game birds, game animals, etc.

H. B. 847. An Act relating to the administration of the fiscal affairs of counties, providing who shall constitute the fiscal court, etc.

H. B. 567. An Act relating to revenue and taxation.

H. B. 683. An Act to impose a tax upon the business of manufacturing, selling, or offering for sale, barter or exchange, certain manufactured tobacco products, etc.

H. B. 830. An Act to prevent any motor vehicle from hauling passengers except where the owner thereof is the holder of a certificate of convenience and necessity, or a taxicab, etc.

H. B. 10. An Act authorizing county judges in counties containing cities of first class to appoint two trial commissioners.

H. B. 862. An Act relating to the Primary System of Roads and Highways.

H. B. 863. An Act relating to the Primary System of Roads and Highways.

H. B. 864. An Act relating to the Primary System of Roads and Highways.

H. B. 865. An Act relating to the Primary System of Roads and Highways.

H. B. 866. An Act relating to the Primary System of Roads and Highways.

H. B. 867. An Act relating to the Primary System of Roads and Highways.

H. B. 868. An Act relating to the Primary System of Roads and Highways.

H. B. 869. An Act relating to the Primary System of Roads and Highways.

H. B. 871. An Act relating to the Primary System of Roads and Highways.

H. B. 872. An Act relating to the Primary System of Roads and Highways.

H. B. 873. An Act relating to the Primary System of Roads and Highways.

H. B. 876. An Act relating to the Primary System of Roads and Highways.

H. B. 877. An Act relating to the Primary System of Roads and Highways.

H. B. 878. An Act relating to the Primary System of Roads and Highways.

H. B. 879. An Act relating to the Primary System of Roads and Highways.

H. B. 880. An Act relating to the Primary System of Roads and Highways.

H. B. 881. An Act relating to the Primary System of Roads and Highways.

H. B. 882. An Act relating to the Primary System of Roads and Highways.

H. B. 883. An Act relating to the Primary System of Roads and Highways.

H. B. 892. An Act relating to the Primary System of Roads and Highways.

H. B. 859. An Act repealing and re-enacting Section 1992a-26, Carroll's Kentucky Statutes, Baldwin's 1930 Revision, relating to appropriations of the preceding fiscal year, etc.

H. B. 765. An Act relating to revenue and taxation and imposing a license on certain business or occupation and prescribing penalties for violations thereof.

H. B. 846. An Act entitled an Act to accept title to estate of Eleanor Holmes Lindsay; etc.

H. Res. 73. Resolution instructing the Auditor to pay the Pastors of the Frankfort churches.

H. Res. Resolution authorizing the administrator of the estate of Harry Helton to sue the Commonwealth.

With the expression of opinion that said bills and resolutions ought to pass.

Said bills and resolutions were severally read at length the first time and ordered to be placed on the Calendar.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 829. An Act to provide for the licensing of road, highway and bridge contractors by the State Highway Commission, etc.

H. B. 851. An Act providing that the purchasers of new cars be allowed five days in which to license same.

H. Res. 72. A Resolution providing for payment of money for jury services, etc.

H. B. 367. An Act repealing, amending and re-enacting Section 2739g-34a of Baldwin's Kentucky Statutes, Carroll's 1930 Edition, relating to the driving of motor vehicles while intoxicated; penalty.

H. Res. 70. Resolution for help for enrolling clerks of Senate and House.

H. B. 858. An Act relating to the Primary System of Roads and Highways.

H. B. 856. An Act relating to the Primary System of Roads and Highways.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading

of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Mr. Bullitt of the Investigating Committee heretofore appointed by the Speaker, pursuant to a resolution adopted by this House, offered the following report, viz.:

REPORT OF SPECIAL INVESTIGATING COMMITTEE REPORT No. 2

The Special Investigating Committee makes the following report:

That, on March 7th, at the hour of 2 P. M., Vance Armentrout, the Acting Editor of the Courier Journal, appeared before the Committee as a witness to testify concerning the authorship of a letter titled "The Psalm of Politics" which appeared in the Courier Journal on the morning of March 5th in the column maintained by said newspaper from letters to the Editor; that the letter, purporting to be signed by a member of the House of Representatives, charged that the Speaker of the House refused to assign bills introduced on the day of their introduction and retained them over night for the purpose of being imformed by the ones who had his hands tied to what committee the bills should be assigned; that the language of said letter affected the integrity and character and reputation of the Honorable Speaker of the House, and reflected upon the entire membership of the House; that the language of the letter implied that the Speaker of the House was being controlled by a group of politicians and lobbyists for the special purpose of either assisting in the passage of certain legislation or in defeating certain legislation.

The Committee further reports that such a charge, if true, directly affects the welfare of the State of Kentucky, and that it sought the authorship of the letter for the purpose of ascertaining from the author facts and information upon

which he based the statements in such letter, and that the inquiry into that matter came within the purview of the purposes for which the Committee was appointed by the House and the powers authorized in the resolution.

The Committee further reports that the said Armentrout admitted that he received the letter, admitted that he was informed by wire on Tuesday, March 6th, that the Committee desired the name of the author, admitted that he destroyed the letter, admitted, according to his best judgment, that he knew the name of the author of the letter. He was advised by the Committee that such, under the law as set forth in Section 606 of the Civil Code of Practice, was not a privileged communication, and thereupon deliberately and arbitrarily defied this Committee and refused to answer the question as to the name of the author.

The Committee further reports that, under the resolution, it was empowered to subpoena witnesses, to administer oaths, to interrogate the witnesses and to punish for contempt, and that the power granted to either House of the General Assembly under Section 39 of the Constitution was delegated by the House under this resolution to the Committee.

Upon the refusal of the said Armentrout to answer said question, the Committee went into executive session, and, by the vote of the Committee, authorized the Chairman and the Secretary of said Committee to issue a commitment, placing the said Armentrout in jail until he purged himself of the contempt by divulging the name of the author of the letter, or until the adjournment *sine die* of the regular session of the General Assembly.

He was taken by the Sergeant-at-Arms of the House and delivered to the jailer of Franklin County, and thereafter on a petition for a writ of habeas corpus, without notice of same being given, either in writing or orally, to the Chairman or Secretary of the Committee, or any member thereof, or to the Attorney General of Kentucky, or the Speaker of the House

of Representatives, or to the Clerk of the House of Representatives, the County Judge of Franklin County, without authority of law, granted the writ and released the said Armentrout from jail in defiance of the resolution of the House of Representatives which commanded all officers of this Commonwealth to respect the orders of this Committee.

The Committee further reports that under Section 39 of the Constitution the power granted to the House which delegated to the Committee only permitted this Committee to order the said Armentrout to jail until he purged himself to contempt, or until the adjournment of the regular session of the General Assembly, but that under Sections 1993, 1994, 1995, 1997, 1998, and 1999 of Carroll's 1930 Edition of the Kentucky Statutes, a fine in any sum not exceeding one thousand dollars ($1,000.00) can be inflicted by this House, if an investigating committee finds, after a hearing, that a person has been guilty of contempt and reports same to the House by way of resolution, with the recommendation as to punishment, and such resolution is thereafter adopted by the House.

That, under Section 1995 of Carroll's 1930 Edition of the Kentucky Statutes, it is the duty of the Speaker of the House, upon any member citing any person in ordinary and concise language that such person has been guilty of contempt of the General Assembly, or of either House thereof, or a committee of either House, to appoint five of its members as a committee of investigation.

Therefore, your Special Committee on Investigation cites at this time that Vance Armentrout was, on the 7th day of March, by refusing to answer the question, guilty of contempt of this Committee of the House, and since said time has continued in contempt by his continued failure to divulge the name, and request that the Speaker, under Section 1995, appoint the committee as directed therein for the purpose of making the investigation of this contempt and reporting to this House as soon as practicable as to whether or not the said

Armentrout was and is at this time guilty of contempt, and, if so, to recommend the punishment that should be inflicted therefor. We request that this action be taken because of the fact that this Committee, under the resolution, and under Section 39 of the Constitution, does not possess the power to inflict a fine, and the Circuit Judge of this Judicial District being absent from the County of Franklin, it is apparent that further efforts of this Committee to inflict its punishment by confinement in the county jail of Franklin County would be in vain by reason of the action of the County Judge of this County in releasing him without a hearing on a writ of habeas corpus.

Respectfully submitted.

HUGH K. BULLITT,
55th District, Jefferson

Which was read at length by the Chief Clerk and received by the House.

Thereupon the Speaker appointed Messrs. Ferd Gnau, Bruton, Towles, Harmon and McCarthy as a Committee, in compliance with the request of Mr. Bullitt, on behalf of the aforesaid Investigating Committee.

A message was received from the Senate announcing that they had passed bills which originated in that body, entitled:

S. B. 281. An Act providing for fiscal courts to contract with hospitals for the care of the indigent.

S. B. 314. An Act to amend and re-enact "The Bingham Cooperative Marketing Act" the same being Chapter 1 of the Acts of the 1922 General Assembly of the Commonwealth of Kentucky (Sec. 883f-6, Kentucky Statutes) and particularly Section 6, Para. (a) thereof, etc.

S. B. 129. An Act to amend and re-enact Section 1055 of Carroll's Kentucky Statutes, relating to the records of Quarterly Courts and the appointment, powers, duties and compensation of Clerks thereof, etc.

S. B. 200. An Act relating to the licensing of motor vehicles; providing that the use of the license of any State other than Kentucky by a resident of this Commonwealth on his car, driven over the highways of this Commonwealth, etc.

S. B. 258. An Act to regulate the sales of real estate held by trustees under expressed trusts.

Ordered that said bills be printed and referred to Committee on Rules.

And that they had passed bills which originated in this House, entitled:

H. B. 279. An Act relating to the taxation of domestic life insurance companies, etc.

H. B. 60. An Act to change and fix the time of holding the terms of Circuit Court in the 37th Judicial District.

H. B. 438. An Act relating to taxes and land sold for same and redemption of said land.

H. B. 437. An Act to amend and re-enact Section 186d-1 of Kentucky Statutes, relating to bonds of officers and fiduciaries.

H. B. 436. An Act to amend and re-enact Section 4664 of Kentucky Statutes, relating to bonds; discharge of sureties thereon; etc.

H. B. 435. An Act to amend and re-enact Section 4134

of Kentucky Statutes, relating to bonds of sheriffs and sureties thereon.

H. B. 126. An Act providing for the regulation and control of utilities within the Commonwealth of Kentucky as the word "utilities" is defined therein, etc.

H. B. 45. An Act to amend and re-enact Sec. 4019, Kentucky Statutes, Baldwin's Revision of Carroll's 1930 Edition, relating to revenue and taxation by a classification of real estate.

With an amendment thereto by way of Substitute therefor, as proposed by the Senate.

Ordered that said bill, with the amendment thereto, as proposed by the Senate be referred to Committee on Rules.

Ordered that said bills which originated in this House be delivered to the Enrolling Clerk of this House, with the exception of the one specifically set out above.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 376. An Act to regulate the manufacture, sale, transportation, possession or other disposition of spirituous, vinous, malt and similar liquors, etc.

With a Committee amendment thereto by way of Substitute therefor.

Said bill is as follows, viz.:

H. B. 376. An Act to regulate the manufacture, sale, transportation, possession or other disposition of spirituous, vinous malt and similar liquors and to regulate the manufacture,

sale, transportation or other disposition of spirituous, vinous, malt or intoxicating liquors for sacramental, medicinal, scientific or mechanical purposes; to regulate the manufacture, transportation, sale, ownership or possession of apparatus designed for the manufacture of spirituous, vinous, malt or intoxicating liquors in the Commonwealth of Kentucky; to regulate the manufacture, sale and transportation of alcohol for non-beverage purposes and prohibiting the ownership or interest directly or indirectly by officers or employees of this Commonwealth of any property used for the manufacture, sale or transportation of alcoholic liquors.

Also providing a license or excise tax on the business or occupation of manufacturing distilled spirits known as whisky or brandy or other species of such double stamp spirits in this state and/or the business or occupation of a warehouseman storing such distilled spirits providing for permits and for a liquor control board and also for the manufacture, sale and distribution of beer and wines and imposing taxes thereon for a distribution of such taxes and permit fees; providing penalties for violation of this act and declaring an emergency to exist; repealing all of Chapter 33, Act of March 22, 1922; Sections 2554a-1, 2554a-2, 2554a-3, 2554a-4, 2554a-5, 2554a-6, 2554a-7, 2554a-8, 2554a-9, 2554a-10, 2554a-11, 2554a-12, 2554a-13, 2554a-14, 2554a-15, 2554a-16, 2554a-17, 2554a-18, 2554a-19, 2554a-20, 2554a-21, 2554a-22, 2554a-23, 2554a-24, 2554a-25, 2554a-26, 2554a-27, 2554a-28, 2554a-29, 2554a-30, 2554a-31, 2554a-32, 2554a-33, 2554a-34, 2554a-35, 2554a-36, 2554a-37, 2554a-38, 2554a-39, 2554a-40, 2554a-41, 2554a-42, 2554a-43, 2554a-44, 2554a-45, 2554a-46, 2554a-47, Carroll's Kentucky Statutes, 1930 Edition, Chapter 4, of the Acts of the General Assembly, Extraordinary Session, 1933, Chapter 5 of the Acts of the General Assembly, Extraordinary Session, 1933, and appropriating money for the enforcement of this Act.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

PART I.

§ 1. This Act may be cited as the "State Liquor Control Act of Kentucky."

§ 2. The following words and phrases used in this Act shall take the following interpretations:

(1) "Person" includes an individual, corporation, copartnership, society or joint stock company.

(2) "Malt liquors" shall be construed to mean any beverage containing not more than four (4%) per centum of alcohol by weight obtained by the alcoholic fermentation of an infusion or decoction of barley, malt or other cereal and hops and water. "Illegal malt liquors" shall be those described above containing more than four (4%) per centum of alcohol by weight.

(3) "Vinous liquors" shall be construed to mean any beverage containing more than fourteen per cent of alcohol by weight attained by the fermentation of the natural sugar content of fruits or other agricultural products containing sugar including fortified wine such as port, sherry and champagne. "Illegal vinous liquors" shall be those described above containing more than fourteen per cent of alcohol by weight.

(4) "Spirituous liquors" shall be construed to mean any beverage containing more than fourteen per cent of alcohol by weight obtained by distillation mixed with water and other substances in solution and including among other things brandy, rum, whisky, gin and all other beverages containing more than fourteen per cent of alcohol by weight, and which are not included within the definitions contained in sub-paragraphs 2 and 3 hereof.

"Unlawful spirituous liquors" for beverage purposes

shall include all liquors not described and defined in this paragraph.

(5) "Retail sale" or "sale at retail" means a sale to a consumer or to any person for any purpose other than for resale.

(6) "Wholesale sale" or "sale at wholesale" means a sale to any person for purposes of resale.

(7) "Owner" means any person who sells at retail any beverage for the sale of which a permit is required under the provisions of this Act.

(8) "Wholesaler" means any person who sells at wholesale any beverage for the sale of which a permit is required under the provisions of this Act.

(9) "Sale" means any transfer, exchange or barter in any manner or by any means whatsoever for a consideration, and includes and means all sales made by any person, whether principal, proprietor, agent, servant or employee. "To sell" includes to solcicit or recieve an order for, to keep or expose for sale, and to keep with intent to sell.

(10) "State board" means the state alcoholic beverage control board provided for in this Act.

(11) "County board" means a county alcoholic beverage control board provided for in this Act.

(12) "City board" means the city alcoholic beverage board provided for in this Act.

(13) "Convicted" and "conviction" include and mean a finding of guilt resulting from a plea of guilty, the decision of a court or magistrate or the verdict of a jury, irrespective of the pronouncing of judgment or the suspension thereof.

(14) "Restaurant" shall mean only a room regularly and in a *bona fide* manner used and kept open for the serving of meals to guests for compensation, which has suitable table accommodations for at least twenty guests therein at one and the same time, and a kitchen connected therewith containing conveniences for cooking sufficient to provide meals in a *bona*

fide manner for twenty guests at one and the same time. Table accommodations, for the purposes of this definition, shall not include seats or chairs arranged at a counter, bar, or similar contrivance. The term "guest" within the meaning of this definition as to required accommodations is a person who, during the hours when meals are regularly served therein, goes to a restaurant for the purpose of obtaining, and actually orders and obtains at such time, in good faith, a meal therein.

(15) "Beer garden" shall include a yard or open space used as a restaurant, or adjoining a restaurant and owned and operated by the same person as such restaurant.

(16) The term "hotel" shall mean a building regularly used and kept open as such in a *bona fide* manner for the feeding and lodging of guests, where all who conduct themselves properly and who are able and ready to pay for such services are received if there be accomodations for them. The term "hotel" shall also include an apartment hotel wherein apartments are rented for fixed periods of time either furnished or unfurnished, to the occupants of which the keeper of such hotel regularly supplies food in a restaurant in such hotel.

(17) "Brewery" means and includes any place or premises where any beer is manufactured for sale; and all offices, granaries, mash-rooms, cooling-rooms, vaults, yards, cellars and storerooms connected therewith or where any part of the process of manufacture of beer is carried on, or where any apparatus connected with such manufacture is kept or used, or where any of the products of brewing or fermentation are stored or kept, shall be deemed to be included in and to form part of the brewery to which they are attached or are appurtenant.

(18) "Brewer" means any person who owns, occupies, carries on, works, or conducts any brewery, either by himself or by his agent.

(19) "Distillery" means any establishment where spirituous liquors are manufactured.

(20) "Distiller" means any person who owns, occupies, carries on, works or conducts any distillery either by himself or by his agent.

(21) "Winery" means any establishment where vinous liquors are manufactured.

(22) "Wine maker" means any person who owns, occupies, carries on, works or conducts any winery either by himself or by his agent.

(23) "Club" means an organization of persons incorporated pursuant to the provisions of the membership corporations law or the benevolent orders law which is the owner, lessee or occupant of an establishment operated solely for a recreational, social, patriotic, political, benevolent or athletic purpose but not for pecuniary gain, and includes the establishment so operated.

(24) A "member of a club" is a person who, whether as a charter member or admitted in agreement with the by-laws of the club, has become a *bona fide* member thereof, who maintains his membership by the payment of his annual dues in a *bona fide* manner in accordance with such by-laws and whose name and address is entered in the list of members.

(25) "Vehicle" shall include any device in, upon or by which any person or property is or may be transported or drawn upon a public highway, road, street or public place, except devises used exclusively on stationary rails or tracks.

(26) "Traffic in" includes to manufacture and sell at wholesale or retail.

(27) "Building containing permitted premises" shall include the permitted premises and also any part of the building in which such premises is contained and any part of any other building connected with such building by direct access or by common entrance. It shall also include the building in

which cooking or preparation of food for any beer garden is carried on.

(28) "Premises permitted" or "permitted premises" means that part of a building for which a permit has been issued.

(29) "Permit" means a permit issued pursuant to this Act.

(30) "Alcoholic beverage" includes all distilled or rectified spirits, wine, fermented and malt liquors.

(31) "Permittee" means any person holding a permit.

(32) "Masculine" includes the feminine unless otherwise specifically provided.

(33) "Grocery store" means any retail establishment where foodstuffs are regularly and customarily sold in a *bona fide* manner for consumption off the premises.

(34) "Dentist" means a person duly licensed to practice dentistry under the laws of the State of Kentucky.

(35) "Druggist" means a duly licensed pharmacist under the laws of the State of Kentucky.

(36) "Physician" means a person duly licensed to practice medicine in the State of Kentucky.

(37) "Prescription" means a memorandum in the form prescribed by the regulations made under the authority of this Act signed by a physician and given by him to a patient for the obtaining of spirituous liquors pursuant to this Act for use for medicinal purposes.

(38) "Veterinary" means a person duly licensed to practice the art of treating and healing injuries and diseases of domestic animals.

PART II.

§ 1. There shall be a "Kentucky Liquor Control Board" composed of the Attorney General of the Commonwealth of Kentucky, the Chairman of the State Tax Commission of Kentucky, *ex officio* members, and one member ap-

pointed by the Governor of the Commonwealth and such board shall have the powers and duties herein specified.

§ 2. The appointee member of the Board shall be not less than thirty years of age, shall be Chairman of the Board, shall be appointed for a term of four years and receive a salary of $4,800.00 per annum payable in monthly installments out of any moneys in the Treasury not otherwise appropriated and before entering upon the discharge of his duties, the appointee member shall take the Constitutional oath of office and give bond for the faithful performance of the duties of his office in the penal sum of $25,000.00 which bond shall be approved by the Attorney General and recorded in his office.

§ 3. The principal offices of the Board shall be at the State Capitol.

§ 4. The Board shall have authority to employ a secretary who shall devote his whole time and attention to the business of the Board and shall follow no other occupation. The Secretary shall receive an annual salary of $2,400.00, payable in monthly installments to be paid as salaries of other state officials.

§ 5. The provisions of this Act shall be enforced by the Board, any deputy or employee, members of the State Tax Commission, or any officer or employee thereof, any County or City Board or any officer or employee thereof. All reports required under said Act shall be made to the Board at Frankfort, Kentucky.

§ 6. No member of the Board, its Secretary or any officer or employee, deputy or assistant engaged in the enforcement of this Act or authorized to enforce this Act, shall have any interest, direct or indirect, either proprietary or by means of any loan, mortgage or lien or in any other manner, in or on any premises where alcoholic beverages or medicines are manufactured or sold, nor shall he have any interest direct or indirect in any business wholly or partially devoted

to the manufacture or sale of alcoholic beverages or medicines, or own any stock in any corporation which has any interest, proprietary or otherwise, direct or indirect, in any premises where alcoholic beverages or medicines are manufactured or sold or in any business wholly or partially devoted to the manufacture or sale of alcoholic beverages or medicines. Any one violating any provisions of this Section forfeit his office or be removed therefrom.

§ 7. The Board shall have the following powers, functions and duties:

(1) To grant and revoke for cause permits issued under the provisions of this Act.

(2) To fix in its discretion the number of breweries, wineries, distilleries and wholesalers of beer, wine and spirituous liquors to be permitted within the state, and the location of the same provided, however, that said board shall recognize as valid for their term all permits or licenses in existence at the time this Act becomes a law, issued under authority of Chapter 4 or 5 of the Acts of the General Assembly, Extraordinary Session, 1933.

(3) To fix by rule the standards of manufacture in order to insure the use of proper ingredients and methods in the manufacture of beer, wines and spirituous liquors, to be sold in the state.

(4) To grant or refuse permits to owners for the sale at retail of beer, wine and spirituous liquors within the state in the manner provided hereinafter.

(5) To keep records in proper form to be prescribed by the Board of (a) all permits issued and all permits revoked under the provisions of this Act; (b) Records should be so kept in form and in substance as to provide ready information as to the identity of all permits including the names of stockholders and directors of corporate permits and also the location of all permitted premises.

(6) To adopt rules and regulations for the supervision

and control of the mnufacture and sale of beer, wine and spirituous liquors throughout the state not inconsistent with law.

(7) To carry on by its agents or employees inspections of any premises where beer, wine or spirituous liquors are manufactured for sale or sold.

(8) To prescribe forms of applications for permits under this Act and of all periodic reports deemed necessary to be made by any permittee.

(9) To make an annual report to the governor and the legislature of its activities for the past year. This report shall include statistics as to the amount of beer, wine and spirituous liquors manufactured in the State of Kentucky and the disposition thereof; the increase or decrease in its consumption over the preceding year; the amount of taxes and permit fees collected; and such other information as it deems advisable.

(10) To examine or cause to be examined under oath any permittee and to examine or cause to be examined his books and records; to hear testimony and take proof material for its information; to administer oaths; and for any such purpose to issue a subpoena or subpoenas to require the attendance of witnesses and the production of books, which shall be effective in any part of the state. The powers provided in this subdivision may be delegated by the board to any member or employee thereof.

§ 8. Each member of the Board and its Secretary shall, before entering upon his duties, take and file an oath of office in the same form and manner as prescribed by law for public officers.

PART III.

§ 1. The County Attorney, the Sheriff and the County Judge of each County shall constitute the "County Liquor Control Board" and such Board shall have the powers and

duties herein specified. The County Clerk of the County shall be Secretary of the County Board.

§ 2. Every County Board shall, with respect to the County over which it has jurisdiction, have the following powers, functions and duties:

(1) To recommend to the State Board, the granting or revocation of permits effective within the County to persons for the sale of beer, wine and spirituous liquors at retail not to be consumed upon the premises.

(2) To recommend to the State Board the granting or revocation of permits for the sale of beer, wine or spirituous liquors at retail to be consumed on the premises.

(3) To fix the hours not inconsistent with law during which beer, wine or spirituous liquors may be sold at retail to be consumed upon or off the premises within the county.

(4) To examine or cause to be examined under oath any holder of a permit to sell beer, wine or spirituous liquors at retail and to examine or cause to be examined the books and records of any such holder; to hear testimony and take proof material for its information and for any such purpose to issue subpoena or subpoenas which shall be effective in any port of the State.

§ 3. All of the disqualifications and provisions contained in this Act relative to members and employees of the State Board shall apply with full force and effect to members and employees of any County Board.

§ 4. A County Board having jurisdiction shall be a party to all actions and proceedings affecting in any manner the issue or revocation of permits; to all injunction proceedings against permit owners pursuant to this Act and to all other civil actions and proceedings which in any manner affect the enjoyment of a permit issued by such County Board.

PART IV.

§ 1. The Mayor, the Director of Law and the Directors

of Safety, in cities of the first class, and the Mayor, the City Attorney and the Chief of Police in cities of other classes shall constitute the "City Liquor Control Board" and such Board shall have the powers and duties herein specified. The Clerk of the Board of Aldermen, City Council or Board of Trustees shall be the Secretary of the City Board.

§ 2. Except as otherwise specifically provided, the City Board shall exercise the same powers, functions and duties as a County Board in a County, outside of the city limits, and any provision of law referring to County Boards functioning pursuant to this Act and the members and employees of such Boards shall be deemed to refer also to the City Board with respect to any power, function or duty to be exercised within the city or town and to its members and employees, it being the purpose of this Act to authorize city and town boards to exercise all the functions and powers conferred on County Boards within the town or city limits and the County Board to exercise the powers conferred on it outside the city limits and within the county limits.

PART V.

§ 1. The following restrictions upon and regulation of the manufacture, possession or sale of malt liquors and vinous liquors for beverage or sacramental purposes and the manufacture, possession or sale of spirituous liquors for mechanical, scientific or medicinal purposes are hereby established for the reason that the manufacture, possession or sale of said liquors for said purposes may be conducive to the manufacture, possession, distribution or sale of unauthorized alcoholic beverages and therefore the provisions of this Act are enacted as a safeguard to temperance and in order to promote obedience to the law and more effectively to prevent the unlawful manufacture and sale of beverages now prohibited by the Constitution of this State.

It is hereby declared to be the public policy of the State

that the number of permits in this State to traffic in malt, vinous or spirituous liquors should be restricted and the State Board empowered to determine whether public convenience and advantage will be promoted by issuing such permits, by increasing or decreasing the number thereof and in order to further carry out the policy hereinbefore declared, the number of such permits shall be restricted. For such purposes, the State Board is hereby given discretion to determine the number of permits, the location thereof and the persons to whom they shall be issued subject to judicial review as hereinafter provided.

It is the purpose of this Act to permit the sale of malt or vinous liquors for beverage purposes, subject to the provisions thereof, of the highest alcoholic content permitted under the Constitution of this State and if the court or courts of this State should adjudge that the alcoholic content of the liquors referred to herein as fixed under this Act is in excess of that permitted under the Constitution, then this Act shall be construed as to such liquors as to only authorize the manufacture and sale within the limits of the Constitution.

It is declared by the Legislature to be the public policy of this State that beer containing not more than four per cent of alcohol by weight is non-intoxicating and wine containing not more than fourteen per cent of alcohol by weight is non-intoxicating in fact.

§ 2. No malt, vinous or spirituous liquors shall be manufactured in this State for storage, sale or sold at retail within the State after this Act becomes effective without a permit therefor issued by the State Board as hereinafter provided. No person shall sell illegal malt, vinous or spirituous liquors in this State.

There shall be eight kinds of permits, each of which shall be distinctive in color and design so as to be readily distinguishable from each other, to-wit: (1) brewer's permit; (2) wholesaler's permit; (3) permit to sell beer and wine at

retail to be consumed on the premises; (4) permit to sell beer and wine at retail not to be consumed on the premises; (5) distiller's permit; (6) druggist's permit and (7) rectifier's permit; and (8) special permits to physicians, dentists and veterinarians.

§ 3. (1) Any person may apply to the State Board for a permit to manufacture beer and wine within this State for sale. Such application shall be in writing and verified, and shall set forth in detail such information concerning the applicant for said permit and the premises to be used therefor as the State Board shall require. Said application shall be accompanied by a certified check, or cash, or postal money order for the amount required by this Act for such permit. If the State Board shall deny the application it shall return the fee to the applicant. If the State Board shall grant the application, it shall issue a permit in such form as shall be determined by rules. Such permits shall contain a description of the premises; and in form and in substance shall be a permit to the person therein specifically designated to manufacture beer and wine in the premises therein specifically permitted. The State Board shall have absolute discretion as to the number of such permits and as to the location of the premises permitted.

(2) No manufacturer, after this Act becomes effective, shall sell or contract to sell any beer or wine to any wholesaler or any owner who is not duly permitted under this Act to sell beer or wine at wholesale or retail at the time of such contract and sale.

(3) A permitted manufacturer may under such rules as may be adopted by the State Board, sell at retail beer or wine in bulk by the keg, cask or barrel for consumption, and not for re-sale, at a barbecue, picnic, outing or other similar out-door gathering at which more than fifty individuals are assembled.

(4) A permitted manufacturer may apply to the State Board for a permit to sell beer or wine at retail for consump-

tion on the premises in a beer garden or restaurant owned by him and conducted and operated by him in or adjacent to the brewery or winery for which he is permitted. All of the provisions of this Act relative to permits to sell beer or wine at retail for consumption on the premises shall so far as is practicable apply thereto.

(5) Except as specifically provided in this Act, no manufacturer of wine or beer shall sell any of either at retail.

§ 4. (1) The State Board may, in its discretion, and upon such terms and conditions as it may, by rule, prescribe, issue to a permitted brewer or wine merchant, upon application therefor, a permit authorizing him to sell beer or wine at retail to be delivered by such brewer or wine merchant to a person for consumption in his home.

(2) Such application shall be in writing and verified, and shall set forth in detail such information concerning the applicant, the necessity for the permit and the probable extent of its use and such other information as the Board shall by rules require. Such application shall be accompanied by a certified check, or cash, or postal money order for the amount required by this section of such permit. If the Board shall deny the application, it shall return the fee to the applicant. If the Board shall grant the application, it shall issue a permit in such form as shall be determined by rules to be adopted by the Board.

(3) Such a permit and the exercise of the privilege given thereunder may be subjected by the Board to such requirements and restrictions as it may deem necessary to impose by rules.

(4) For the exercise of the privilege granted by such permit, there is assessed a fee to be paid by the person enjoying the same, in addition to the regular fee for a brewer's permit or a wine merchant's permit provided for in this Act, the sum of Twenty-five ($25.00) Dollars per month.

§ 5. (1) A person other than a manufacturer of beer

or wine may apply to the State Board for a permit to sell beer or wine at wholesale. Such application shall be in writing and shall set forth in detail such information concerning the applicant for said permit and the premises to be permitted as the State Board may require and shall be accompanied by a certified check, or cash, or postal money order for the amount required by this Act for such permit. If the State Board shall deny the application it shall return the fee to the applicant. If the State Board shall grant the application, it shall issue a permit in such form as shall be determined by the rules of such board. Such permits shall contain a description of the premises permitted; and in form and in substance shall be a permit to the person therein specifically designated to sell beer or wine at wholesale in the premises therein specifically permitted.

A person holding a manufacturer's permit need not obtain a wholesaler's permit in order to sell at wholesale beer or wine manufactured by him. No person, after this Act becomes effective, other than a person holding a manufacturer's permit selling his own beer or wine, shall sell beer or wine at wholesale in this State without a permit issued pursuant to this section. A wholesaler's permit shall authorize the holder thereof to sell beer or wine at retail to be delivered by such wholesaler to a person for consumption in his home. No wholesaler after this Act becomes effective shall sell or agree to sell any beer or wine to an owner who is not duly permitted to sell at retail at the time of such agreement and sale.

§ 6. (1) Any person may make an application to the County Board or City Board of the County or City in which the premises to be permitted are located for a permit to sell beer or wine at retail not to be consumed upon the premises where sold. Such application shall be in such form and contain such information as shall be required by rules of the State Board; and be accompanied by a certified check, or

postal money order, or cash, in the amount required by this Act for such permit.

(2) If it shall approve such application it shall indorse its approval thereon in writing, signed by members of the County or City Board or by their agent duly authorized so to sign, by a certificate signed by the members of the County or City Board and filed in the office of the State Board. It shall thereupon forward such application, together with the fee therefor, to the State Board, which may thereupon issue such permit accordingly, or which may refuse to so issue such permit. In the event that the State Board issues such permit it shall forward it to the applicant and shall notify the County Board or City Board in such form as the State Board may by rule prescribe. In the event that the State Board refuses to issue such permit it shall state and file in its principal office its reasons therefor and shall return such application to the applicant together with the fee therefor and shall notify the County or City Board of its action in such form as the State Board may by rule prescribe.

(3) If the County or City Board shall disapprove such application for a permit it shall indorse thereupon its disapproval thereof together with a statement of its reasons therefor, signed in the same manner as provided in subdivision two of this section, and shall notify the applicant of such action. Such applicant may thereupon apply to the State Board for a review of such action of the County or City Board, in a manner to be prescribed by rules of the State Board. A hearing, upon notice to the County or City Board and to the applicant shall thereupon be held by the State Board or by one of its members in a manner to be prescribed in its rules; and on such hearing proof may be taken by oral testimony or by affidavit relative thereto. After such hearing, if the State Board concur in the disapproval by the County or City Board, it shall indorse such application accordingly and shall return it, together with the fee therefor

to the applicant, and shall send notice to the County or City Board of its action in such form as the State Board may by rule prescribe. If the State Board does not concur in the disapproval by the County or City Board it may nevertheless grant such application and issue such permit in the manner prescribed in subdivision two of this section.

(4) In the event that the County or City Board is not unanimous in recommendation as to such application, each member of such Board shall indorse thereon his approval or disapproval of such application as the case may be, together with his reasons therefor. The County or City Board shall thereupon forward such application together with the fee therefor to the State Board. If the applicant requests it in a manner to be prescribed by rules of the State Board, the State Board shall thereupon proceed in the same manner as provided in subdivision three of this section in a case where an application for a permit has been disapproved by the County or City Board and forwarded to the State Board.

(5) No such permit shall be issued, however, to any person for any premises other than a grocery store or drug store.

(6) Such permit shall in form and substance be a permit to the person specifically designated therein to sell beer or wine in the premises specifically permitted at retail not to be consumed upon the premises; and shall describe in sufficient detail the premises permitted. It shall authorize the sale of beer or wine in bottles or in cases or in any other receptacle, at retail, to be consumed off the premises permitted.

(7) No person shall after this Act becomes effective sell any beer or wine at retail to be consumed off the premises unless a permit to do so has been issued to him pursuant to this section; provided, however, that a sheriff, marshal or constable may sell such beer or wine on a sale or an execution issued pursuant to law.

§ 7. (1) Any person may make an application to the

County or City Board of the County or City in which the premises to be permitted are located for a permit to sell beer or wine at retail to be consumed upon the premiss. Such application shall be in such form and shall contain such information as shall be required by rules of the State Board; and shall be accompanied by a certified check or postal money order or cash in the amount required by this Act for such permit. All of the provisions contained in subdivisions two, three and four of the preceding section shall apply to an application made for a permit under this section.

(2) Such permit shall in form and substance be a permit to the person specifically designated therein to sell beer or wine in the premises specifically permitted at retail to be consumed upon the premises and shall describe in sufficient detail the premises permitted. Such permit shall also be deemed to include a permit to sell beer or wine at retail to be consumed off the premises.

(3) No permit to sell beer or wine to be consumed on the premises shall be issued to any person for any premises, except a *bona fide* hotel, restaurant, beer-garden, club, railroad car or vessel, or other places in the discretion of the State Board.

(4) A club permitted under this section may sell beer or wine only to its members and to their guests accompanying them.

(5) It shall be unlawful for any person to sell beer or wine after this Act becomes effective to be consumed on the premises unless such person shall be permitted to sell beer or wine as provided in this Act.

(6) No beer or wine shall be sold to be consumed at a bar, counter, or other similar contrivance except under such rules as the State Board may prescribe.

(7) Nothing in this Act contained, however, shall be construed to require that any food be sold or purchased with beer or wine.

§ 8. (1) Any person may apply to the State Board for a permit to manufacture, sell, transport and store spirituous or vinous liquors for mechanical, scientific, sacramental or medicinal purposes. Such application shall be in writing and verified and shall set forth in detail such information concerning the applicant for said permit and the premises to be used therefor as the State Board shall require. Said application shall be accompanied by a certified check or cash or postal money order for the amount required by this Act for such permit. If the Board shall deny the application, it shall return the fee to the applicant. If the Board shall grant the application, it shall issue a permit in such form as shall be determined by rules. Such permit shall contain a description of the premises to be used by the applicant and in form and in substance shall be a permit to the person therein specifically designated to manufacture, store, sell or transport spirituous or vinous liquors in or from the premises therein specifically authorized. The State Board shall have absolute discretion as to the location of the premises to be used.

(2) No distiller shall after this Act becomes effective, sell or contract to sell any spirituous liquors referred to herein to any wholesaler os to any other person who is not duly authorized under this Act, to receive, possess, transport or sell same.

(3) A distiller may, under such rules as may be adopted by the State Board, sell, deliver or transport only to (a) druggist, (b) wholesalers, (c) rectifiers, (d) export out of the State for mechanical, scientific, sacramental or medicinal purposes, (e) on a physician's prescription.

(4) Any person may apply to the State Board for a permit for purifying, mixing, blending or flavoring of spirituous liquors or the bottling, warehousing or other handling or distribution of rectified distilled spirits. Such application shall be in writing and verified and shall set forth in detail such information concerning the applicant for said per-

mit and the premises to be used therefor as the State Board shall require. Said application shall be accompanied by a certified check, or cash, or postal money order for the amount required by this Act for such permit. If the State Board shall deny the application it shall return the fee to the applicant. If the State Board shall grant the application, it shall issue a permit in such form as shall be determined by rules. Such permit shall contain a description of the premises to be used by the applicant and in form and substance shall be a permit to the person therein specifically designated to purify, mix, blend or flavor spirituous or vinous liquors, or to bottle, warehouse or otherwise handle or distribute rectified distilled spirits in the premises therein specifically authorized. The State Board shall have absolute discretion as to the location of the premises to be used.

(5) Any rectifier may, under such rules as may be adopted by the State Board, sell, deliver, or transport only to (a) druggists, (b) wholesalers, (c) other rectifiers, (d) export out of the State for mechanical scientific, sacramental or medicinal purposes, (e) on a physician's prescription.

(6) Any person, other than a distiller or rectifier, may apply to the State Board for a permit to sell spirituous or vinous liquors for mechanical, scientific, sacramental or medicinal purposes at wholesale. Such application shall be in writing and shall set forth in detail such information concerning the applicant for said permit and the premises to be used by the applicant as the State Board may require; and shall be accompanied by a certified check, or cash, or postal money order for the amount required by this Act for such permit. If the State Board shall deny the application it shall return the fee to the applicant and if the State Board shall grant the application, it shall issue a permit in such form as shall be determined by the rules of the Board. Such permit shall contain a description of the premises permitted and in form and substance shall be a permit to the person therein

specifically designated to sell spirituous or vinous liquors for mechanical, scientific, sacramental or medicinal purposes; to druggists holding permits or to export same from the Commonwealth of Kentucky to be used for mechanical, scientific, sacramental or medicinal purposes.

A person holding a distiller's or rectifier's permit, need not obtain a wholesaler's permit in order to sell at wholesale spirituous or vinous liquors. No person, after this Act becomes effective, other than a person holding a distiller's, rectifier's or wholesaler's permit shall sell spirituous or vinous liquors at wholesale for mechanical, scientific, sacramental or medicinal purposes, and no wholesaler, holding a permit, shall sell to or buy from others unless they hold permits, but such wholesalers may export from or import into this State, such liquors for mechanical, scientific, sacramental or medicinal purposes under rules and regulations promulgated by the State Board.

(7) Any druggist may make application to the County or City Board of the county or city in which his premises are located for a permit to sell spirituous or vinous liquors for mechanical, scientific, sacramental or medicinal purposes, not to be consumed on the premises where sold. Such application and permit shall be considered, approved or disapproved by the said County, City or State Board in the same form or manner as wine or beer permits, except that the State Board shall adopt separate rules and regulations for the consideration and disposition of permits for druggists and such permits, if granted, shall only authorize the permittee to own, hold, possess, sell and transport spirituous or vinous liquors for mechanical, scientific, sacramental or medicinal purposes.

§ 9. Any person more than twenty-one years of age, not an habitual drunkard or having been convicted of any offense directly or indirectly attributable to the use of intoxicating beverages, may, if he deems necessary for his health, purchase from any druggist holding a permit from the State

Board one pint of spirituous or vinous liquor, but no person shall purchase more than one pint within seven days and the State Board shall adopt rules and regulations concerning and directing what records a druggist shall keep of such sales and the manner and method of reporting such sales to the State Board and of obtaining and recording such facts on which such sale is made.

§ 10. (1) Any physician who deems spirituous, vinous or malt liquor necessary for the health of a patient of his whom he has seen or visited professionally may give to such patient a prescription therefor in the prescribed form, signed by the physician, or the physician may administer the liquor to the patient, for which purpose the physician shall administer only such liquor as was purchased by him under special permit pursuant to this Act, and may charge for the liquor so administered; but no prescription shall be given nor shall liquor be administered by a physician except to a *bona fide* patient in cases of actual need, and when in the judgment of a physician the use of liquor as medicine in the quantity prescribed or administered is necessary.

(2) Every physician who gives any prescription or administers any liquor in evasion or violation of this Act, or who gives to or writes for any person a prescription for or including liquor for the purpose of enabling or assisting any person to evade any of the provisions of this act, or for the purpose of enabling or assisting any person to obtain liquor to be used as a beverage, or to be sold or disposed of in any manner in violation of the provisions of this Act, shall be guilty of an offense against this Act.

§ 11. Any dentist who deems it necessary that any patient being then under treatment by him should be supplied with spirituous, vinous or malt liquor as a stimulant or restorative may administer to the patient the liquor so needed, and for that purpose the dentist shall administer liquor purchased by him under special permit pursuant to this Act, and may

charge for the liquor so administered; but no liquor shall be administered by a dentist except to a *bona fide* patient in case of actual need, and every dentist who administers liquor in evasion or violation of this Act shall be guilty of an offense against this Act.

§ 12. Any veterinary who deems it necessary may in the course of his practice administer or cause to be administered liquor to any dumb animal, and for that purpose the veterinary shall administer or cause to be administered liquor purchased by him under special permit pursuant to this Act, and may charge for the liquor so administered or caused to be administered; but no veterinary shall himself consume, nor shall he give to or permit any person to consume as a beverage any liquor so purchased, and every veterinary who evades or violates or suffers or permits any evasion of this section shall be guilty of an offense against this Act.

§ 13. Any person in charge of an institution regularly conducted as a hospital or sanatorium for the care of persons in ill-health, or as a home devoted exclusively to the care of aged people, may, if he holds a special permit under this Act for that purpose, administer liquor purchased by him under his special permit, to any patient or inmate of the institution who is in need of the same, either by way of external application or otherwise for emergency medical purposes, and may charge for the liquor so administered; but no liquor shall be administered by any person under this section except to *bona fide* patients or inmates of the institution of which he is in charge and in cases of actual need, and every person in charge of an institution who administers liquor in evasion or violation of this Act shall be guilty of an offense against this Act.

§ 14. All special permits referred to in the foregoing sections shall be in such form and issued under regulations as the State Board may prescribe.

§ 15. Any physician who deems liquor necessary for the

health of a patient may prescribe for said patient an unbroken case of spirituous liquor and such prescription may be filled by a druggist, distiller, rectifier or wholesaler, provided, however, no such prescription shall be issued by a physisian or filled by a druggist, distiller, rectifier or wholesaler unless the patient by reason of location or other handicap, is unable to obtain such liquor as needed.

§ 16. In addition to such other information as the State Board may determine shall be furnished in any application for permit under this Act, the following information shall be given under oath:

(1) The name, age, and residence of each applicant, and, if there be more than one and they be partners, the partnership name and the age and residence of the several persons so applying, and the facts as to his or their citizenship;

(2) The name and residence of each person interested, or to become interested, in the business of any permittee for which the application is made, together with the nature of such interests; and if such applicant be a corporation, the application shall set forth the name of the corporation, the names of its directors or other governing body, the names of its officers and stockholders if it be a stock corporation, and the State under the laws of which it is organized;

(3) The premises to be permitted stating the street and number, if the premises have a street and number, and otherwise such apt description as will reasonably indicate the locality thereof. The applicant shall also state the nature of his interest in the premises; and the name of any other person, either as principal or associate, interested with the applicant either in the premises or in the business to be permitted;

(4) A statement that such applicant has not been convicted of a felony, and has not had a permit issued to him under this Act revoked for cause;

(5) A statement that no previous permit issued to the premises to be permitted has been revoked for cause.

If there be any change, after the granting of a permit, in any of the facts required to be set forth in such application, notice in verified form, of such change shall be filed with the appropriate Board within ten days thereafter. Failure to do so shall, if such Board find that it was willful and deliberate, be cause for revocation of the permit. In giving any notice, or taking any action in reference to a permittee or permitted premises, the appropriate Board may rely upon the information furnished in such application and in any supplemental statement connected therewith, and such information may be presumed by such Board to be correct, and shall be binding upon a permittee or permitted premises as if correct. All information required to be furnished in such applications or supplemental statement shall be deemed material in any prosecution for perjury.

§ 17. A permit issued to any person, pursuant to this section, for any premises shall not be transferable to any other person or to any other premises or to any other part of the building containing the permitted premises. It shall be available only to the person therein specified, and only for the premises permitted and no other. For the purposes of this section each railroad car and each vessel shall be deemed premises separately to be permitted.

§ 18. No permit shall be transferable or assignable.

(1) No permit shall be pledged or deposited as collateral security for any loan or upon any other condition; and any such pledge or deposit and any contract providing therefor shall be void.

(2) Permits shall be valid for a period of one year from date of issue, except as provided in Part V, Section IV, Subsection 4, and shall contain, in addition to any further information or material to be prescribed by rule and regulation of the State Board, the following:

(a) The name of the person to whom the permit is issued.

(b) The kind of permit and what kind of traffic in malt, vinous or spirituous liquors is thereby permitted.

(c) A description by street and number or otherwise of the permitted premises.

(d) A statement in substance that such permit shall not be deemed a property or vested right and that it may be revoked at any time pursuant to law.

(e) The name and address of the owner of the premises. Upon a change in such ownership the permittee or the new owner may file notice to that effect in writing with the appropriate Board on forms to be provided by the State Board for such purpose.

(3) There shall be printed and furnished by the State Board to each permittee a statement of the causes for which permits may be revoked under law. Such statement shall be prepared by the State Board and delivered to the permittee with his permit or as soon thereafter as may be practicable. Any amendments therein shall also be sent by the State Board to all permittees as soon as may be practicable after such amendment. Failure to send such statement or changes therein, or failure to receive the same, or any misstatement or error contained in such statement or amendments, shall, however, not be an excuse or justification for any violation of law, or prevent or remit or decrease any penalty or forfeiture therefor.

(4) It shall be the duty of every person procuring a permit under this Act or a renewal thereof to publish a notice, in a form to be prescribed by the State Board, to the effect that such permit has been issued and stating the name of the permittee and the location of the premises permitted, once a week for two successive weeks in a daily or weekly newspaper printed or published in the county in which such premises are located.

§ 19. (1) For the privilege of manufacturing beer or wine for sale there is assessed a permit fee to be paid by every person engaged in such business of Five Hundred ($500.00) Dollars per year.

(2) For the privilege of selling beer and wine at wholesale there is assessed a permit fee to be paid by every person engaged in such business the sum of One Hundred ($100.00) Dollars per year.

(3) For the privilege of selling beer and wine, not to be consumed on the premises where sold, there is assessed a permit fee to be paid for each such place where such traffic is carried on, of Twenty-five ($25.00 Dollars) per year; provided, however, that for premises situated outside a city, such fee shall be fifteen dollars per year.

(4) For the privilege of selling beer or wine to be consumed upon the premises where sold in a restaurant, hotel, beer garden or club there is assessed a permit fee to be paid for each such place where such business is carried on, of One Hundred ($100.00) Dollars annually in cities having a population of one hundred thousand or over, and fifty dollars annually in all other places to which this Act is applicable, provided, however, that where a hotel situated in a town or village remains open only within the period commencing May first and ending October thirty-first of any one year, such hotel may be granted a summer permit effective only for such period of time, for which a permit fee of twenty-five dollars shall be paid.

(5) For the privilege of selling beer or wine upon any railroad car, or vessel within this State, to be drunk on such car or on any car connected therewith, or on such vessel, there is hereby asssessed a permit fee of twenty-five dollars per year for each vessel, and ten dollars per year for each railroad car permitted.

(6) For the privilege of manufacturing, storing or transporting spirituous liquors for mechanical, scientific, sacramental or mdeicinal purposes there is assessed a permit

fee to be paid for each such place where such business is carried on, the sum of five hundred dollars annually.

(7) For the privilege of manufacturing, storing or transporting vinous liquors for mechanical, scientific, sacramental or medicinal purposes, there is assessed a permit fee to be paid for each such place where such bsuiness is carried on, the sum of two hundred and fifty dollars annually.

(8) For the privilege of purifying, mixing, blending, or flavoring, of spirituous liquors for mechanical, scientific, sacramental or medicinal purposes, there is assessed a permit fee to be paid for each such place where such business is carried on the sum of two hundred and fifty dollars, annually.

(9) For the privilege of selling at wholesale spirituous, vinous or blended liquors, for mechanical, scientific, sacramental or medicinal purposes, there is assessed a permit fee to be paid for each such place where such business is carried on, the sum of two hundred dollars annually.

(10) For the privilege of selling at retail spirituous, vinous or blended liquors for mechanical, scientific, sacramental or medicinal purposes, there is assessed a permit fee to be paid for each such place where such business is carried on, the sum of one hundred dollars annually.

(11) In addition to the permit fee provided for herein, a license tax of one dollar and twenty-five cents a barrel of thirty-one gallons and a like or proportional rate per gallon or fractional part thereof on malt liquors sold in any other container of more or less than thirty-one gallons, is hereby levied upon the sale or distribution by gift of malt liquors. The said tax shall be paid by the manufacturer or brewer if he is in the State, or, if not, by the brewer's agent or wholesaler, if he be in the State, or, if neither of those just mentioned be in the State, then by the retailer, provided, however, that any malt liquors on which taxes have been paid under the provisions of Chapter 5 of the Acts of the General Assembly, Extraordinary Session, 1933, shall not again be taxed under this Act.

(12) In addition to the permit fee provided for herein, a license tax of two cents per wine gallon or fraction thereof is hereby levied upon the sale or distribution by gift or sale of vinous liquors. The said tax shall be paid by the manufacturer if he is in the State, or if not by the manufacturer's agent or wholesaler, if he be in the State, or if neither of these just mentioned be in the State, then by the retailer, provided, however, that any vinous liquors on which taxes have been paid under the provisions of Chapter 5 of the Acts of the General Assembly, Extraordinary Session, 1933, shall not again be taxed nuder this Act.

(13) In addition to the permit fee provided for herein, a license tax of two cents per proof gallon or fraction thereof is hereby levied upon the distillation and storage in a bonded warehouse of spirituous liquors, and a license fee of ten cents per proof gallon or fraction thereof is hereby levied upon the withdrawal thereof, and a license fee of ten cents per proof gallon or fraction thereof is hereby levied upon spirituous liquor brought into the State for storage or sale.

The said tax shall be paid by the manufacturer or distiller if he is in the State, or, if not, by the manufacturer's or distiller's agent, if he is in the State, or, if neither of those first mentioned be in the State, then by the retailer.

(14) In addition to the permit fee provided for herein a license fee of three cents per proof gallon or fraction thereof is hereby levied upon the purifying, mixing, blending or flavoring of spirituous liquors. The said tax shall be paid by the rectifier if he is in the State, or, if not, by the rectifier's agent, if he is in the State, or, if neither of these first mentioned be in the State, then by the retailer.

(15) All license taxes provided and levied under this Act shall be due and payable on the tenth day of each month succeeding the time when the act is done requiring a license and it shall be the duty of the licensee or the person required to pay said license tax to make a report giving such facts and in such form as the State Board shall by rule require and all

payments therefor shall first be made to the State Board and it shall on the day of receipt thereof cover the same through the Auditor of Public Accounts into the State Treasury and all fees for permits shall be likewise paid to the State Board and likewise covered by it into the State Treasury.

§ 20. All revenues derived from the operation of this Act after collected and recorded by the Board for license or permit fees shall be covered through the Auditor of Public Accounts into the State Treasury and credited to the general expenditure fund and used to match funds provided by the Government of the United States for the relief of the poor and needy in the Commonwealth of Kentucky, to be spent at the discretion and under the supervision of the Governor of the Commnowealth. When this is done, one-half of said revenue is to be used for the retirement of State warrants, and the other half held to remain in the general fund for such uses as may be authorized by law.

§ 21. (1) Each permit shall be issued for a permit year expiring on the thirtieth day of June following the date of its issuance and the proportionate part of the permit fee prescribed therefor by the preceding section of this Act shall be paid in advance at the time the application therefor shall be made as provided by this Act.

(2) Each permit issued pursuant to this Act may be renewed upon application therefor by the permittee and payment of the annual fee for such permit. In case of application for renewal, the State Board may dispense with the requirement of such statements as it deems unnecessary in view of those contained in the application made for the original permit. The State Board shall make rules regarding applications for renewal of permits and the time when such applications shall be made.

(3) All permits or license fees shall attach to and operate as a lien on the property on and in the permitted premises or elsewhere, belonging to the person from whom such fees are due.

(4) When application for any permit is made after the first of July in any year, the permit fees therefor for the balance of the permit year, shall be in proportion as the remainder of such year bears to the whole year, except that it shall in no case be for less than one-half of such year, and the said amount shall attach and operate as a lien as aforesaid at the time such permit is issued.

§ 22. *Bonds of permittees.* The State Board may require the permittees described in this Act to file with such Board a solvent bond to the people of the State of Kentucky in such penal sum as the Board may by rule prescribe, conditioned that such permittee will not suffer or permit any violation of the provisions of this Act or any Act amendatory thereof or supplemental thereto; and that all fines and penalties which shall accrue, during the time the permit shall be in effect will be paid, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of this Act. A suit to recover on any bond which may be required to be filed by the provisions of this Act may be brought by the State Board or on relation of any party aggrieved, in a court of competent jurisdiction and in the event that the obligor named in such bond has violated any of the conditions of such bond, recovery for the penal sum of such bond may be had in favor of the people of the State.

§ 23. No person hereafter described in this section shall receive a permit:

(1) A person who has been convicted of a felony.

(2) A person under the age of twenty-one.

(3) A person who is not a citizen of the United States.

(4) A co-partnership, unless one or more of the members of such co-partnership owning at least one-half interest in the business thereof shall be a citizen of the United States.

(5) A person who shall have had his permit issued under this Act revoked for cause, or who has been convicted

of a violation of this Act until the expiration of two years from the date of such revocation or conviction.

(6) A corporation or co-partnership, if an officer or member thereof has been convicted of a vialotion of this Act or has had a permit issued under this Act revoked for cause, until two years from the date of such conviction or revocation.

§ 24. Where a permit for any premises permitted has been revoked, no permit shall be thereafter issued for a period of two years after such revocation, for such permitted premises or for any part of the building containing such permitted premises.

§ 25. Any permit issued pursuant to this Act may be revoked for cause, and must be revoked for the following causes:

(1) Conviction of the permittee or his agent or employee for selling any illegal beverages on the premises permitted.

(2) For making any false, material statement in an application for a permit.

(3) If, within a period of two years, there shall have been two convictions for any violations of this Act by a permittee; or two convictions of any of his clerks, agents, employees or servants of any violation of this Act on the premises permitted.

(4) For transferring, assigning or hypothecating a permit.

(5) Violation of the provisions of Section XXXI of this Act shall cause a forfeiture of the permit of all parties to the violation.

(6) For selling or agreeing to sell any malt, spirituous or vinous liquors to a wholesaler or owner who is not permitted at the time of the agreement and sale.

(7) Where a hotel, restaurant or club caeses to be a *bona fide* hotel, restaurant or club in the judgment of the State Board.

(8) For failure or default of a permittee to pay any license or permit tax or any part thereof, and/or penalties im-

posed by this Act and for a violation of any rule or regulation of the State Board in pursuance thereof.

§ 26. Permits may be revoked in the manner prescribed in this Act by a County Board, City Board or by the State Board.

(1) A County or City Board may, on its own initiative or on complaint of any person, and after a hearing to be held in the manner and on such notice as may be prescribed by rules of the State Board, revoke a permit to sell malt, vinous or spirituous liquors, at retail. Notice of such revocation shall be in such form as may be prescribed by rules of the State Board and shall be filed in the office of the State Board. No permit, however, to sell at retail issued without the affirmative approval of the County or City Board shall be revoked by a County or City Board.

(2) A permit to sell at retail may be revoked by the State Board on its own initiative or on complaint of a County or City Board or any person, after a hearing at which the permittee and the County Board of the county or the City Board of the county or city in which the permitted premises are located shall be given an opportunity to be heard in such manner and upon such notice as may be prescribed by rules of the State Board.

(3) A manufacturer's permit or a wholesaler's permit may be revoked by the State Board after a hearing held in a manner to be determined by the State Board.

§ 27. The following actions by the State Board or by a County or City Board may be reviewed by appeal to the Circuit Court of the county if it be the action of a County or City Board in the county where the Board is located, and by an appeal to the Franklin Circuit Court if it be the action of the State Board. Such appeal shall be filed within ten days after the order of the Board complained of and may be prosecuted by any person interested therein.

An appeal shall be taken by filing with the Clerk of the Circuit Court a complete transcript of all the evidence heard and orders entered by the Board affected. No new evidence shall be heard by the court, and its judgment may be appealed to the Court of Appeals of Kentucky as in other cases but the judgment of the Circuit Court shall not be superseded. The Board affected shall be given ten days' notice of the hearing by the Circuit Court and it shall be heard by the Circuit Court as promptly as may be done.

(1) The refusal of the State Board to issue a permit recommended by a County or City Board.

(2) The issuance of a permit by the State Board contrary to the recommendation of a County or City Board.

(3) The issuance of a permit by the State Board where the recommendation of a County or City Board was not unanimous.

(4) The revocation of a permit by the State Board.

(5) The revocation of a permit by a County or City Board.

§ 28. Within three days after a permit shall have been revoked, notice thereof shall be given to the permittee by mailing such notice addressed to him at the premises permitted. Notice shall also be mailed to the owner of the premises permitted. The holder of such permit shall thereupon surrender same to the State Board. The mailing thereof by the permittee to the State Board at Frankfort by registered mail or insured parcel post shall be deemed sufficient compliance with this provision. The State Board, immediately upon giving notice of revocation, shall serve a written notice thereof upon the Chief of Police or chief police officer of the city or town in which the premises for which the revoked permit was issued is situated, or upon the Sheriff of the county in case the permit was issued for premises situated outside of a city or town. This notice shall include a statement of the number of such permit, the name and place of residence of the

holder thereof, the location of the permitted premises, and the date when such permit was revoked.

In case such permit be not forthwith surrendered, the State Board shall issue a written demand for the surrender of such permit and deliver said demand to the Sheriff of the county in which the permitted premises are located, or to any special agent of the State Board, and said Sheriff or special agent shall immediately take possession of such permit and return the same to the State Board.

§ 29. The State Board may adopt rules and regulations covering the hours in which malt, vinous or spirituous liquors may be sold and may prohibit the sale thereof on legal holidays, election days and Sundays, provided, however, the rules and regulations of the Board in this respect shall not thereby conflict with the ordinances of any city or town.

§ 30. The State Board may adopt rules and regulations covering the transportation of malt, vinous or spirituous liquors in this State.

§ 31. It shall be unlawful for a manufacturer to—

(a) be interested directly or indirectly in any premises where malt, vinous or spirituous liquors are sold at retail, or in any business devoted wholly or partially to the sale of such liquors at retail, by stock ownership, interlocking directors, mortgage or lien on any personal or real property or any other means;

(b) make any loan to any owner;

(c) enter into a contract with an owner whereby the owner agrees to confine his sales to the products manufactured by one manufacturer. Such contract shall be void.

(1) Any lien, mortgage or other interest or estate, however, now held by a manufacturer on or in the personal or real property of an owner, which mortgage, lien, interest or estate was acquired on or before December thirty-first, nineteen hundred and thirty-three shall not be included within the provisions of this section. The burden of establishing the

time of the accrual of the interest, comprehended by this subdivision shall be upon the person who claims to be entitled to the protection and exemption afforded hereby.

§ 32. If a corporation or co-partnership holding a permit under this Act shall be dissolved, or if a receiver or assignee for the benefit of creditors be appointed therefor, or if a receiver or assignee for the benefit of creditors or a committee of the property of an individual holding a permit be appointed during the time for which such permit was granted, or if a person holding a permit shall die during the term for which such permit was given, such corporation, co-partnership, receiver or assignee, or the administrator or executor of the estate of such individual, or a committee of the property of a person adjudegd to be incompetent, may continue to carry on such business upon such premises for the balance of the term for which such permit fee was paid, with the same right and subject to the same restrictions and liabilities as if he had been the original applicant for and the original holder of such permit providing the approval of the State Board shall be first obtained. Before continuing such business, such receiver, assignee, or individual, or committee, shall file a statement setting forth in such form and substance as the State Board may prescribe by rule and regulation the facts and circumstances by which they have succeeded to the rights of the original committee. The State Board may, in its discretion, permit the continuance of such business or may refuse to do so. In the event that the Board determines to permit the continuance of the business, the permit shall be submitted to the State Board and shall have written or stamped across the face of the same, and signed by the State Board, the words "(here insert the name of the person) is permitted to manufacture or sell (as the case may be) malt, vinous or spirituous liquors, as (here insert the representative capacity, whether as assignee, receiver, executor, administrator or otherwise) of the original permittee for the unex-

pired term." For each such indorsement a fee of five dollars shall be paid to the State Board by the applicant, which shall be paid into the same fund as other permit fees herein provided.

§ 33. Before commencing or doing any business for the time for which a permit has been issued said permit shall be inclosed in a suitable wood or metal frame having a clear glass space and a substantial wood or metal back so that the whole of said permit may be seen therein, and shall be posted up and at all times displayed in a conspicuous place in the room where such business is carried on, so that all persons visiting such place may readily see the same. It shall be unlawful for any person holding a permit to post such permit or to permit such permit to be posted upon premises other than the premises permitted, or upon premises where traffic in beer, wine or liquor, is being carried on by any person other than the permittee, or knowingly to deface, destroy or alter any such permit in any such respect. Whenever a permit shall be lost or destroyed without fault on the part of the permittee or his agents or employees, a duplicate permit in lieu thereof may be issued by the State Board in its discretion and in accordance with its rules and regulations or payment of a fee of $5.00.

§ 34. If any person shall manufacture, possess, store or traffic in malt, vinous or spirituous liquors in this State without obtaining the appropriate permit therefor, or shall manufacture, possess, store or traffic in such liquors contrary to any provision of this Act or otherwise unlawfully, or shall manufacture, possess, store or traffic in illegal liquors, the State Board, County Board, City Board or any taxpayer residing in the county in which such acts are being committed, may present a verified petition to a Judge of the Circuit Court in which such county is situated, for an order enjoining such person from carrying on such business. Such petition shall state the facts upon which such application is based. Upon

the presentation of the petition the court shall grant an order requiring such person to appear before such court in such judicial district on the day specified therein, not more than ten days after the granting thereof, to show cause why such person should not be permanently enjoined from carrying on such business, or why such person should not be enjoined from carrying on such business contrary to the previsions of this Act. A copy of such petition and order shall be served upon the person, in the manner directed by such order, not less than three days before the return day thereof. On the day specified in such order the court before whom the same is returnable shall hear the proofs of the parties and may, if deemed necessary or proper, take testimony in relation to the allegations of the petition.

If the court is satisfied that such person has unlawfully manufactured, possessed or stored malt, vinous or spirituous liquors without having obtained a permit or contrary to the provisions of this Act, or has trafficked in such illegal liquors, an order shall be granted enjoining such person from thereafter carrying on such business. If, after the entry of such an order in the Circuit Court Clerk's office of the county in which the principal place of business of the corporation or copartnership is located, or in which the individual so enjoined resides or conducts such business, and the services of a copy thereof upon such person, or such substituted service as the court may direct, such person shall, in violation of such order, manufacture, possess, store or sell such illegal liquor, such manufacture, possession, storing or sale shall be deemed a contempt of court and be punishable in the manner provided by the judiciary law. Costs upon the application for such injunction may be awarded in favor of and against the parties thereto in such sums as in the discretion of the court before whom the petition is heard may seem proper.

§ 35. The State Board shall be made a party to all actions and proceedings relative to issuance or revocation of

permits; to all injunction proceedings, and to all other civil actions or proceedings which in any manner affect the enjoyment of the privileges or the operation of the restrictions provided for in this Act.

§ 36. Any person who after this Act becomes effective manufactures for sale, or sells, malt, vinous or spirituous liquors, without having an appropriate permit therefor, or whose permit has been revoked or canceled, or who manufactures for sale or sells illegal liquor, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than two hundred dollars or by imprisonment in a county jail for a term of not more than six months or both.

(1) Any person who shall make any false statement in the application for a permit under this Act shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than two hundred dollars, or by imprisonment in a county jail for a term of not more than six months or both.

§ 37. The violation by any person of any rules of the State Board shall be a misdemeanor and upon conviction thereof such person shall be fined fifty dollars or imprisoned in the county jail sixty days or both so fined and imprisoned.

§ 38. The provisions of this Act are severable and if any of its provisions or any penalty provided by this Act shall be held unconstitutional, such provision or the particular penalty held to be invalid, may be rejected without affecting the remainder of the Act or such part of the penalties as are not held to be invalid, and the decisions of the courts shall not affect or impair the remaining provisions of this Act or any of the other penalties anywhere in this Act provided. It is hereby declared as a legislative intent that this Act would have been adopted had not such unconstitutional provisions of such invalid penalties been included therein.

§ 39. It shall be unlawful for any person to buy, bargain, sell, loan, own, have in possession or knowingly trans-

port, an illicit still designated for the unlawful manufacture of intoxicating liquors or any apparatus designed for the unlawful manufacture of spirituous, vinous, malt or intoxicating liquors, and any person or persons convicted for the offenses enumerated in this section shall be fined not less than fifty dollars, nor more than five hundred dollars, and in addition shall be imprisoned in the county jail for not exceeding six months.

Upon a second conviction of any offense enumerated in this section the defendant or defendants, if persons, shall be confined in the penitentiary for not less than one year, nor more than five years, and for the third and each subsequent conviction of any offense enumerated in this section, the person or persons shall be confined in the penitentiary for not less than five years, nor more than ten years.

Upon a second or any subsequent conviction of any corporation under this section, a fine shall be imposed of not less than one thousand dollars, nor more than five thousand dollars, in the discretion of the jury.

An illicit still or apparatus designed for the manufacture of liquor under this Act shall include an outfit or parts of an outfit, commonly used, or intended to be used in the distillation of spirituous, vinous or malt liquors which is not at the time of the trial duly registered in the office of a collector of internal revenue for the United States, and the burden of proving that same is so registered shall be on the defendant or defendants under charge.

§ 40. No witness before a State, County or City Board, a Grand Jury, Court of Inquiry or on a trial for any violation of this Act, shall be allowed to refuse to answer any question, because the answer will incriminate him but his evidence shall not be used against him in any subsequent proceedings except on trial for false swearing and such witness shall not be prosecuted for any offense disclosed in such testimony other than perjury.

§ 41. Every person knowingly aiding or abetting any person, firm or corporation in the violation of any of the provisions of this Act, shall be deemed a principal and punished as such.

§ 42. No property rights shall exist in any liquor or property designed for the manufacture of liquor unlawfully obtained, possessed, held or used in violation of this Act.

§ 43. No person or persons, company or corporation, shall possess or have in possession, any spirituous, vinous or malt liquors unless same have been lawfully acquired and are intended to be used lawfully, the burden of proving that same have been lawfully acquired and are intended to be used lawfully shall be upon the defendants or defendant, provided, however, nothing in this section shall be construed as to make it unlawful to possses liquors in one's private dwelling where the same is occupied and used by him as his dwelling only and such liquors are not held by him for sale or sold by him.

§ 44. It shall be unlawful for any person to be intoxicated in any public place, highway, street, on or about the vehicle of any common carrier; or to disturb the peace and any person thus offending shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than one hundred dollars or by imprisonment for not less than five days nor more than thirty or by both said fine and imprisonment.

§ 45. The articles enumerated in this section shall not, after having been manufactured and prepared for the market, be subject to the provisions of this Act:

(1) Denatured alcohol or denatured rum produced and used as provided by laws and regulations now or hereafter in force.

(2) Medicinal preparations manufactured in accordance with formulas prescribed by the United States Pharmacopoeia, national formulary or the American Institute of Homeopathy that are unfit for use for beverage purposes.

(3) Patented, patent and proprietary medicines that are unfit for use for beverage purposes.

(4) Toilet, medicinal and antiseptic preparations and solutions that are unfit for use for beverage purposes.

(5) Flavoring extracts and syrups that are unfit for use as a beverage or for intoxicating beverage purposes.

(6) Vinegar and preserved sweet cider.

(7) Wine for sacramental purposes.

(8) Alcohol medicated according to such formulas as will render it unfit for beverage purposes and which is to be sold for legitimate external use.

(9) Alcohol for mechanical and scientific purposes if unfit for a beverage.

(10) Any person who manufactures, purchases or possesses any of the articles mentioned in this section, or preparations fit for beverage purposes which are authorized to be manufactured, which may be used in the manufacture of other preparations compounded in accordance with formula prescribed by the United States pharmacopoeia, national formulary or the American Institute of Homeopathy, which preparations when so manufactured are unfit for use for beverage purposes, or in the manufacture of patented, patent and proprietary or other medicines, or for physicians' prescriptions, which are unfit for use for beverage purposes, may purchase and possess liquors for that purpose, and shall keep such records as are required by the State Board.

No such manufacturer shall sell, use or dispose of any liquor otherwise than as an ingredient of the articles authorized to be manufactured therefrom. No more alcohol shall be used in the manufacture of any syrup, extract or the articles named in paragraphs 2, 3 and 4 of this section which may be used for beverage purposes than the quantity necessary for the extraction or solution of the elements mentioned therein and for the preservation of the article.

Any person who shall knowingly sell any of the articles mentioned in paragraphs 1, 2, 3 and 4 of this section for beverage purposes or any extract or syrup for intoxicating beverage purposes, or who shall sell any of the same under circumstances from which the seller might reasonably deduce the intention of the purchaser to use them for such purpose, shall be subject to the penalties provided in this act.

§ 46. Alcohol for mechanical and scientific purposes and wine for sacramental purposes, may be secured from persons authorized to manufacture and sell same under the provisions of this Act.

§ 47. All forms, rules and regulations required under this Act shall be printed by the Public Printer at the expense of the Commonwealth and there is hereby appropriated out of the State Treasury to be paid out of the funds collected under the provisions of this Act the sum of $50,000.00 annually to be used for stationery, printing, postage, traveling and incidental expenses of the members of the Boards, officers or employees enforcing the provisions of this Act. No expenditure shall be made except on the written authorization of the Chairman of the State Board and the Auditor of Public Accounts shall not draw his warrant on the State Treasurer for the payment thereof until a sworn itemized statement of the purpose of said expenditure is filed by the payee and the amount therefor approved by the Chairman of the State Board.

48. No suit shall be maintained in any court to restrain or delay the collection or payment of any fee or tax levied by this Act. The aggrieved taxpayer or permittee shall pay the tax or fee as and when required and may at any time within two years from the date of such payment sue the Commonwealth through its agent, the Auditor of Public Accounts, in an action at law in any court, State or Federal, otherwise having jurisdiction of the parties and subject matter for the recovery of the tax or fee paid with legal interest thereon from

the date of payment. If it is finally determined that said tax or fee or any part thereof was wrongfully collected, for any reason, it shall be the duty of the Auditor of Public Accounts to issue his warrant on the Treasurer of the Commonwealth of Kentucky for the amount of such tax or fee so adjudged to have been wrongfully collected, together with legal interest thereon. The Treasurer shall pay the same at once out of the general expenditure fund of the State in preference to other warrants or claims against the Commonwealth. A separate suit need not be filed for each individual payment made by any taxpayer, but a recovery may be had in one suit for as many payments as may have been made.

§ 49. All of Chapter 33, Act of March 22, 1922; Sections 2554a-1, 2554a-2, 2554a-3, 2554a-4, 2554a-5, 2554a-6, 2554a-7, 2554a-8, 2554a-9, 2554a-10, 2554a-11, 2554a-12, 2554a-13, 2554a-14, 2554a-15, 2554a-16, 2554a-17, 2554a-18, 2554a-19, 2554a-20, 2554a-21, 2554a-22, 2554a-23, 2554a-24, 2554a-25, 2554a-26, 2554a-27, 2554a-28, 2554a-29, 2554a-30, 2554a-31, 2554a-32, 2554a-33, 2554a-34, 2554a-35, 2554a-36, 2554a-37, 2554a-38, 2554a-39, 2554a-40, 2554a-41, 2554a-42, 2554a-43, 2554a-44, 2554a-45, 2554a-46, 2554a-47, Carroll's Kentucky Statutes, 1930 Edition, Chapter 4 of the Acts of the General Assembly, Extraordinary Session 1933, Chapter 5 of the Acts of the General Assembly, Extraordinary Session 1933, are hereby repealed.

§ 50. Whereas, the law heretofore existing in this Commonwealth controlling the liquor traffic was largely based on the Eighteenth Amendment to the Federal Constitution and on the Volstead National Prohibition Act, and

Whereas, the Eighteenth Amendment and the Volstead Act have been repealed, and

Whereas, there are no general laws in Kentucky effectively controlling and taxing the liquor traffic, and

Whereas, the present State Revenue does not meet the immediate needs for the maintenance and development of the

State Government and its agencies, particularly the relief of the poor and destitute, and the State's credit is threatened with impairment, an emergency is declared to exist and this Act shall become a law and be effective on its passage and approval by the Governor.

Said Substitute is as follows, viz.:

An Act to prohibit the manufacture, sale, transportation, possession or other disposition of spirituous, vinous or intoxicating malt liquors, except for medicinal, sacramental, scientific or mechanical purposes; providing for the manufacture, sale transportation, possession or other disposition of spirituous, vinous and intoxicating malt liquors for medicinal, sacramental, scientific or mechanical purposes; providing an appropriation of funds for the administration and enforcement of this act; providing for local option elections on the prohibition of the manufacture, sale, transportation, possession or other disposition of spirituous, vinous or intoxicating malt liquors; providing for license taxes on and permit fees for the manufacture, sale, transportation, possession or other disposition for medicinal, sacramental, scientific or mechanical purposes; of spirituous, vinous or intoxicating malt liquors; providing for the granting and revocation of such licenses, and permits; repealing Chapter 33 of the Acts of the General Assembly of 1922, approved March 22, 1922, and being Sections 2554a-1 to and including 2554a-47, Carroll's Kentucky Statutes, 1930 Edition, and repealing all other laws or parts of laws insofar as they are inconsistent herewith and declaring an emergency exists.

Whereas, it is essential to the well-being of the people of the state of Kentucky and to the Commonwealth itself that the legislation be enacted at the present time concerning alcoholic liquor control, now, therefore,

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

ARTICLE I.

§ 1. The General Assembly of the Commonwealth of Kentucky, by both of the honorable Houses thereof, the House of Representatives and the Senate concurring therein, declares hereby that it has made a careful and thorough investigation of the facts prevailing in this Commonwealth, and elsewhere in regard to alcoholic liquors; it further declares that it has made a careful and painstaking study of the spirit and the letter of the Constitution of Kentucky and all statutes of the Commonwealth pertaining to, or affecting, alcoholic liquors; and the General Assembly does solemnly and expressly declare that it finds the following facts to exist.

§ 2. That the people of the Commonwealth of Kentucky, by Section 226A of the constitution of the Commonwealth, according to Carroll's Kentucky Statutes, Baldwin's Revision, 1930, sometimes called the 7th Amendment to the Kentucky Constitution, the same being an Act of March, 1918, chapter 63, page 190, of the Acts of 1918, as approved by the people in November, 1919, intended to, and did, vest discretionary powers in the General Assembly of Kentucky in regard to alcoholic liquors and the control and regulation of the same, within the limits of the said constitutional provisions, so that the General Assembly should enforce the same by "appropriate legislation."

§ 3. That conditions have changed over the entire face of the world from the aforesaid years 1918 and 1919 to the present year 1934, including wars, depressions and many crimes and particularly have conditions changed in regard to alcoholic liquors. The people of the United States of America have repealed the 18th Amendment to the Constitution of the United States by an overwhelming majority of votes so that there is no longer any Federal enforcing prohibition law in regard to alcoholic liquors in this Commonwealth. In addition to which many of the neighbor-states which border upon this Commonwealth are openly selling all

manner and forms of alcoholic liquors, these being, among many others, Ohio, Indiana, Missouri and Illinois; whereby, and wherefrom, great confusion has arisen, and it is necessary to revise the Statutes in such former case made and provided for this Commonwealth.

§ 4. The General Assembly finds that distressing and dangerous conditions prevail in the Commonwealth of Kentucky which, among many others, include: Bootlegging; moonshining; sale of poisonous alcoholic liquors; restriction on the fair manufacture and sale of alcoholic liquors to the detriment of the Commonwealth; exorbitant prices for any good alcoholic liquors; drug stores violating the statutes in wholesale fashion, and numerous physicians doing the same; thousands of citizens combining therewith to bring all law and order into disrespect and to violate the said Section 226A of the Constitution and that there occurs therefrom a great loss of its just revenues of the Commonwealth of Kentucky.

§ 5. That the people of the Commonwealth of Kentucky in the month of November of the year 1933 by a majority of more than one hundred fifty thousand (150,000) voted to repeal the aforesaid 18th Amendment to the Constitution of the United States, and that the Rash-Gullion Act of this Commonwealth has been violated from its inception and is still being violated and that the uncontrolled sale of alcoholic liquors in excessive and harmful quantities and the consumption of same results in great detriment to the people and to the Commonwealth.

§ 6. The General Assembly further finds that the aforesaid evils may be prevented to a large degree and corrected by the sales of alcoholic liquors under the regulation and control as provided in this Act, including the sale by package as provided in this Act and the sale by the glass with meals; so that when the said liquors are consumed in small and limited quantities with means and for the purposes of medicinal use as provided in this Act such liquors have medicinal value and the Constitution is enforced by appropriate legislation. It

is the express finding of the General Assembly that this Act constitutes the most effective appropriate legislation under the conditions now confronting the Commonwealth, and this is enacted in order of harmonize the law, prevent lawlessness, protect the innocent, punish the guilty, and provide its lawful and just revenue and taxation for the Commonwealth.

ARTICLE II.

§ 1. The word "person" as used in this Act shall include any and all corporations, partnerships, associations or individuals.

§ 2. The word "manufacturer" shall mean, unless otherwise specified, any person engaged in the business of distilling brewing, making, blending, rectifying or producing for sale in wholesale quantities alcoholic liquors of any kind, including whiskey, brandy, cordials, liquors, wines, ales, beers, or other liquids containing alcohol.

§ 3. A "dispensary" shall mean any store which, under the provisions of this Act, and having paid all taxes required by the Commonwealth, sells at retail in unbroken packages for non-consumption on the premises a pint or quart of any intoxicating alcoholic liquor as defined by this Act.

§ 4. The words "commission," or "tax commission" refer to Kentucky State Tax Commission.

§ 5. "Non-intoxicating" alcoholic liquors shall mean all liquors which have 6.02 per cent or less of alcohol by volume, or 4.81 per cent by weight. "Intoxicating" alcoholic liquors shall be all liquors which contain more than 6.02 per cent of alcohol by volume or 4.81 per cent by weight.

§ 6. The word "hotel" shall mean any establishment for the accommodation of the public, which has been in existence and operation for not less than one year at the time as of which its standing under this Act is called in question, which is equipped with not less than twenty bed-rooms containing not less than one bed in each such room, with sufficient cover-

ing therefor, and which is equipped with a public dining-room and with facilities and equipment for preparing and serving *bona fide* meals.

§ 7. The word "restaurant" shall mean an establishment, which has been in existence and operation for not less than one year at the time as of which its standing under this Act is called in question, equipped with a public dining-room and with facilities and equipment for preparing and serving *bona fide* meals to the public. "Restaurant" shall include dining cars of any railroad company, provided said company has procured the restaurant license for such dining cars as required under the provisions of law relating to restaurants in counties containing cities of the first class.

§ 8. The word "club" shall mean any corporation, lawfully organized, which has been in existence and operation for not less than one year at the time as of which its standing under this Act is called in question which is the owner, lessee or occupant of premises operated solely for educational, social, fraternal, patriotic, political or athletic purposes, and not for profit, which maintains a dining-room where, in consideration of payment, prepared and cooked food is regularly served, and in which membership entails the prepayment of dues.

§ 9. The word "block" shall mean the area on both sides of that portion of a street lying between intersecting streets and extending back, on both sides, half-way to the next parallel street.

§ 10. The word "medicinal liquor" as applied to alcoholic liquors within the meaning of this Act shall and does, mean any liquor containing any per cent of alcohol which is used as a curative, alleviative or palative for bodily disorders or bodily pain, or as a tonic or stimulant for nervous or mental fatigue or other necessities of the human body.

§ 11. All other words used in this Act shall be defined according to the statutes in such case made and provided, if

any, and otherwise shall be defined according to the custom and usage of the people of Kentucky.

§ 12. This Act shall be known, and may be cited in all legal proceedings, as "THE KENTUCKY ALCOHOLIC CONTROL ACT."

ARTICLE III.

§ 1. The provisions of this Act shall be enforced by the State Tax Commission of the Commonwealth of Kentucky, and any deputy, employee or member thereof, and all reports required under said Act shall be made to said Tax Commission at Frankfort, Kentucky.

§ 2. No member of the State Tax Commission or any officer, employee, or deputy or assistant thereof, shall have any interest, direct or indirect, in or on any premises where alcoholic liquors are manufactured or sold, nor shall he have any interest, direct or indirect, in any business wholly or partially devoted to the manufacture or sale of alcoholic liquors, or own any stock in any corporation which has any interest, direct or indirect, in the premises where alcoholic liquors are manufactured or sold, or in any business wholly or partially devoted to the manufacture or sale of alcoholic liquors.

Any one violating any provision of this section shall, in addition to the penalty provided hereinafter, forfeit his office or employment, or be removed therefrom.

§ 3. The State Tax Commission shall have the following powers, functions and duties:

(a) To grant and revoke for cause permits issued under the provisions of this Act.

(b) To fix in its discretion the numbers of wineries, distilleries and wholesalers of wine and spirituous liquors and dispensaries of vinous, spirituous or intoxicating malt liquors at retail, as provided in this Act, to be permitted within the State, and the location of the same provided, however, that said Tax Commission shall recognize as valid for their

term all permits or licenses in existence at the time this Act becomes a law, issued under authority of Chapter 4 or 5 of the Acts of the General Assembly, Extraordinary Session, 1933.

(c) To fix by rule the standards of manufacture, rectifying and blending in order to insure the use of proper ingredients and methods in the manufacture, rectifying and blending of vinous, spirituous or intoxicating malt liquors, to be sold in the State.

(d) To adopt rules and regulations for the supervision and control of the manufacture and sale of vinous, spirituous or intoxicating malt liquors throughout the State not inconsistent with law.

(e) To carry on by its agents or employees inspections of any premises where beer, wine or spirituous liquors are manufactured for sale or sold.

(f) To prescribe forms of applications for permits under this Act and of all periodic reports deemed necessary to be made by any permittee.

(g) To make an annual report to the Governor and the Legislature of its activities for the past year. This report shall include statistics as to the amount of vinous, spirituous or intoxicating malt liquors manufactured in the State of Kentucky and the disposition thereof; the increase or decrease in its consumption over the preceding year; the amount of taxes and permit fees collected; and such other information as it deems advisable.

(h) To examine or cause to be examined under oath any permittee and to examine or cause to be examined his books and records; to hear testimony and take proof material for its information; to administer oaths; and for any such purpose to issue a subpoena or subpoenas to require the attendance of witnesses and the production of books, which shall be effective in any part of the State. The powers provided in this subdivision may be delegated by the Tax Commission to any member or employee thereof.

(i) To fix the hours during which vinous, spirituous or intoxicating malt liquors may be sold or dispensed at retail, as provided by this Act.

(j) To keep records in proper form to be prescribed by the Tax Commission of all permits issued and all permits revoked under the provisions of this Act, and to keep such records in such form so as to provide ready information as to the identity of all permits including the names of stockholders and directors of corporations holding permits, and also the location of all permitted premises.

Article IV.

§ 1. (a) It is hereby declared to be the public policy of the State that the number of permits in this State to dispense vinous, spirituous or intoxicating malt liquor shall be restricted, and the State Tax Commission is hereby empowered to determine whether public convenience and advantage will be promoted by issuing such permits, by increasing or decreasing the number thereof; and in order to further carry out the policy hereinbefore declared the number of permits so issued shall be restricted. The State Tax Commission is further given the discretion to determine the number of permits to be granted in each county of this Commonmonwealth or within the corporate limits of any municipality of this Commonwealth, to determine the location thereof, and the person or persons to whom they shall be issued.

The Tax Commission in exercising this discretionary power shall give due regard to the ordinances and regulations of the municipalities of this Commonwealth.

(b) Nothing in this Act shall be construed to prevent municipal corporations through their legislative bodies from taxing the manufacture and sale of vinous, spirituous or intoxicating malt liquors by the permittees so authorized by the State Tax Commission or by way of regulation to set up more stringent standards than are provided by this Act or

to prohibit the manufacture and sale under the provisions of this Act, in whole or in part, by means of local option elections as authorized by Section 61 of the Constitution and by the provisions of the Act.

(c) It is further declared to be the public policy of this State that alcoholic liquors, containing less than 4.81 per cent of alcohol by weight, are non-intoxicating in fact and the manufacture and sale thereof shall not be governed by the provisions of this Act, but shall be governed by the provisions of law heretofore passed. Chapter 5, Acts of General Assembly, 1933, Extraordinary Session, 1933.

§ 2. No vinous, spirituous or intoxicating malt liquors shall be manufactured in this state for storage or sale at retail within the State after this Act becomes effective without a permit therefor issued by the State Tax Commission as herein provided. No person shall sell vinous, spirituous or intoxicating malt liquors in this State, except as provided in this Act.

There shall be six kinds of permits, each of which shall be distinctive in color and design so as to be readily distinguishable from each other, to-wit: (1) Distiller's permit; (2) brewer's permit; (3) rectifier's permit; (4) wholesaler's permit; (5) dispenser's permit, and (6) hotel, restaurant or club permit.

§ 3. (a) Any person may apply to the State Tax Commission for a permit to manufacture, distill, transport, store and sell to a wholesaler, jobber or distributor spirituous, vinous or intoxicating malt liquors to be used and sold for mechanical, scientific, sacramental or medicinal purposes. Such application shall be in writing and verified and shall set forth in detail such information concerning the applicant for said permit and the premises to be used therefor as the State Tax Commission shall require. Said application shall be accompanied by a certified check or cash or postal money order for the amount required by this Act for such permit. If the State Tax Commission shall deny the application, it shall return the

fee to the applicant. If the State Tax Commission shall grant the application, it shall issue a permit in such form as shall be determined by rules and regulations established by said Commission. Such permit shall contain a description of the premises to be used by the applicant and in form and in substance shall be a permit to the person therein specifically designated to manufacture, distill, transport and sell to a wholesaler, jobber or distributor spirituous, vinous or intoxicating malt liquors in or from the premises therein specifically authorized.

(b) No distiller or manufacturer shall after this Act becomes effective sell or contract to sell any spirituous, vinous or intoxicating malt liquors referred to herein to any wholesaler, distributor or jobber, or to any other person who is not duly authorized under this Act, to receive, possess, transport, distribute or sell same.

(c) A distiller or manufacture may, under such rules as may be adopted by the State Tax Commission, sell, deliver or transport only to (1) wholesalers, (2) rectifiers, (3) export out of the State for mechanical, scientific, sacramental or medicinal purposes.

§ 4. (a) Any person may apply to the State Tax Commission for a permit for purifying, mixing, blending, or flavoring of spirituous liquors or the bottling, warehousing or other handling or distribution of rectified distilled spirits. Such application shall be in writing and verified and shall set forth in detail such information concerning the applicant for said permit and the premises to be used therefor as the State Tax Commission shall require. Said application shall be accompanied by a certified check, or cash, or postal money order for the amount required by this Act for such permit. If the State Tax Commission shall deny the applictaion it shall return the fee to the applicant. If the State Tax Commission shall grant the application, it shall issue a permit in such form as shall be determined by rules. Such permit shall contain a description of the premises to be used by the applicant

and in form and in substance shall be a permit to the person therein specifically designated to purify, mix, blend or flavor spirituous or vinous liquor, or to bottle, warehouse or otherwise handle or distribute rectified distilled spirits in the premises therein specifically authorized. The State Tax Commission shall have absolute discretion as to the location of the premises to be used.

(b) Any rectifier may, under such rules as may be adopted by the State Tax Commission, sell, deliver, or transport only to (1) wholesalers, (2) other rectifiers, (3) export out of the State for mechanical, scientific, sacramental or medicinal purposes.

§ 5. Any person, other than a distiller, manufacturer or rectifier, may apply to the State Tax Commission for a permit to sell spirituous, vinous or intoxicating malt liquors for mechanical, scientific, sacramental or medicinal purposes at wholesale. Such application shall be in writing and shall set forth in detail such information concerning the applicant for said permit and the premises to be used by the applicant as the State Tax Commission may require; and shall be accompanied by a certified check, or cash, or postal money order for the amount required by this Act for such permit. If the State Tax Commission shall deny the application it shall return the fee to the applicant and, if the State Tax Commission shall grant the application it shall issue a permit in such form as shall be determined by the rules of the Tax Commission. Such permit shall contain a description of the premises permitted and in form and substance shall be a permit to the person therein specifically designated to sell spirituous, vinous or intoxicating malt liquors for mechanical, scientific, sacramental or medicinal purposes.

A person holding a distiller's or rectifier's permit, need not obtain a wholesaler's permit in order to sell at wholesale spirituous or vinous liquors. No person, after this Act becomes effective, other than a person holding a distiller's, manufacturer's, rectifier's or wholesaler's permit shall sell

spirituous, vinous or intoxicating malt liquors at wholesale for mechanical, scientific, sacramental or medicinal purposes, and no wholesaler, holding a permit, shall sell or buy from others unless they hold permits, but such wholesaler may export from or import into this State, such liquors for mechanical, scientific, sacramental or medicinal purposes under rules and regulations promulgated by the State Tax Commission.

No wholesaler shall sell or contract to sell any spirituous, vinous, intoxicating malt liquors for medicinal, scientific, mechanical or sacramental purposes to any dispensary, hotel, restaurant or club, who is not duly authorized under this Act to receive, possess, transport, distribute or sell same.

§ 6. Any person, other than a distiller, rectifier or wholesaler, may apply to the State Tax Commission for a permit to sell and dispense vinous or spirituous liquors for medicinal, mechanical, sacramental or scientific purposes at retail. Such application shall be in writing and shall set forth in detail concerning the applicant for said permit and the premises to be used by the applicant as the State Tax Commission may require and shall be accompanied by a certified check, or cash or postal money order for the amount required by this Act for such permit. If the State Tax Commission shall deny the application it shall return the fee to the applicant, and if the State Tax Commission shall grant the application, it shall issue a permit in such form as shall be determined by the rules of the Tax Commission. Such permit shall contain a description of the premises permitted and in form and substance shall be a permit to the person therein specifically designated to sell and dispense at retail spirituous or vinous liquors.

All such sales shall be in unbroken packages in either pint or quart sizes and the same shall not be opened or the contents or any part consumed on the premises where purchased.

§ 7. (a) Any person more than twenty-one (21) years of age, not an habitual drunkard, or not having been convict-

ed of any offense attributable to the use of intoxicating liquors, may, if he deems it necessary for his health, purchase from any dispensary holding a permit from the State Tax Commission, one quart or pint of spirituous or vinous liquor, provided that no person shall purchase more than one quart within seven days, or no person shall purchase more than one pint within four days; and before any person shall purchase either one pint or quart, he shall sign an application which shall be provided by the State Tax Commission to such dispensaries upon the payment by said dispensaries to said Commission of the cost of the printing thereof, and which shall state in words and figures as follows:

I do hereby make application for pint, quart, case (strike out all but one), of spirituous, vinous or intoxicating malt liquor, which is purchased by me for medicinal, scientific, mechanical or sacramental purposes (strike out those purposes for which it is not purchased). I am over 21 years of age and am not addicted to the habit of drink, and I have not, within 6 months prior hereto, been convicted of drunkenness.

This..... day of....., 19.....

(Signed).....

The State Tax Commission shall adopt such rules and regulations concerning all records the dispenser shall keep of such applications, sales made in pursuance thereof and the manner and method of reporting such sales and of obtaining and recording such facts on which such sale is made.

(b) Any person under the conditions set forth in subsection (a) may, if he deems necessary for his health, purchase from such dispensary one case of intoxicating malt liquors, but no person shall purchase more than one case within 15 days and such person shall make the application set forth in subsection (a).

(c) Any spirituous, vinous or intoxicating malt liquor obtained from such dispensaries shall not be consumed on the premises where purchased nor in any public place.

§ 8. (a) Any physician who deems spirituous, vinous or intoxicating malt liquor necessary for the health of a patient of his whom he has seen or visited professionally may give to such patient a prescription therefor in the prescribed form, signed by the physician, or the physician may administer the liquor to the patient, for which purpose the physician shall administer only such liquor as was purchased by him under special permit pursuant to this Act, and may charge for the liquor so administered; but no prescription shall be given nor shall liquor be administered by a physician except a *bona fide* patient in cases of actual need, and when in the judgment of the physician the use of liquor as medicine in the quantity prescribed or administered is necessary.

(b) Every physician who gives any prescription or administers any liquor in evasion or violation of this Act, or who gives to or writes for any person a prescription for or including liquor for the purpose of enabling or assisting any person to evade any of the provisions of this Act, or for the purpose of enabling or assisting any person to obtain liquor to be used as a beverage, or to be sold or disposed of in any manner in violation of the provisions of this Act, shall be guilty of an offense against this Act.

§ 9. Any person in charge of an institution regularly conducted as a hospital or sanatorium for the care of persons in ill health, or as a home devoted exclusively to the care of aged people, may, if he holds a special permit under this Act for the purpose, administer liquor purchased by him under this special permit to any patient or inmate of the institution who is in need of the same, either by way of external application or otherwise for emergency medical purposes, and may charge for the liquor so administered; but no liquor shall be administered by any person under this section except to *bona fide* patients or inmates of the institution of which he is in charge and in cases of actual need, and every person in charge of an institution who administers liquor in evasion or violation of this Act shall be guilty of an offense aganist this Act.

§ 10. All special permits referred to in the foregoing sections shall be in such form and issued under such regulations as the State Tax Commission may prescribe.

§ 11. Any physician who deems liquor necessary for the health of a patient may prescribe for said patient an unbroken case of spirituous, vinous or intoxicating malt liquor, and such prescription may be filled by any dispensary possessing a duly authorized permit from the State Tax Commission; provided, however, no such prescription shall be issued by a physician or filled by a dispensary unless the patient by reason of location or other handicap is unable to obtain such liquor as herein provided as needed.

§ 12. (a) Any person operating a hotel, club or restaurant as defined in this Act may apply for a permit to dispense and sell for medical purposes spirituous and vinous liquors by the drink and intoxicating malt liquors by the glass, same to be served with food ordered by the same person for and as a meal. Such applications shall be in writing and shall set forth such information in detail concerning the applicant for said permit and the premises to be used by the applicant as the State Tax Commission may require, and said application shall be accompanied by a certified check or cash or postal money order for the amount required by this Act for such permit. If the State Tax Commission shall deny the application, it shall return the fee to the applicant, and if the Commission grant the application it shall issue a permit in such form as shall be determined by the rules of the Tax Commission. Such permit shall contain a description of the premises permitted and in form and substance shall be a permit to the person therein specifically designated to sell and dispense under the provisions hereof.

(b) The Commission shall not grant a permit to a hotel, restaurant or club which has not actually and continuously engaged in such business for the period of twelve (12) months immediately preceding the date of the application and unless the license required under the provisions of law for the opera-

tion of such hotel, restaurant or club has been heretofore paid in advance for the period between the date of said application and the first day of July, thereafter, and such application shall be accompanied by such license receipt, which shall be returned in the event permit is not granted.

(c) Any person, more than twenty-one (21) years of age, not an habitual drunkard or not having been convicted of any offense, attributable to the use of intoxicating liquors, if he deem it necessary for his health and as a tonic or stimulant, as provided in this Act, may purchase for medicinal purposes by the drink, spirituous or vinous liquors or by the glass intoxicating malt liquors with food ordered by him for his use and consumption as a meal.

(d) No vinous, spirituous or intoxicating malt liquors shall be sold or dispensed in the manner provided under this section to any person who is or appears, by the exercise of due diligence on the part of said hotel keeper, restaurant keeper, club manager, their agents or employees, to be under the influence of intoxicating liquor.

(e) No hotel, restaurant or club shall sell and no person shall purchase spirituous or vinous or intoxicating malt liquors except in the manner herein provided.

(f) That any hotel, restaurant or club which shall have paid the annual permit fee as provided in this Act, which shall not be construed as a grant to sell intoxicating liquors for beverage purposes, in advance, for the period of 12 (twelve) months, shall not, except as to the offenses set forth in this section be subject to any of the penalties of this Act or to any proceeding for or on account of any sale or sales of vinous, spirituous or intoxicating malt liquors for medicinal purposes, made by such hotel, restaurant or club during the period for which such license tax or permit fee has been paid by it, if such hotel, restaurant or club shall make to the State Tax Commission on forms to be provided by the Commission, a monthly report under oath, not later than the tenth day of the month following the month in which such sales have been

made, showing the gross receipts realized from the sale of vinous, spirituous or intoxicating malt liquors by the drink or glass as provided herein together with a detailed statement of all other receipts from the sale of cooked and prepared food during such period.

No proceeding, civil, criminal or penal, except as to offenses provided by this section, shall be commenced against any hotel, restaurant or club, or its officers, agents or employees, on account of any sale or sales or threatened or future sales of intoxicating liquor by the drink or glass with meals, prior to the eleventh day of the month following the month in which such sales have been made, nor at any time thereafter, unless the said hotel, restaurant or club has failed to make the monthly report under oath or has failed to pay the license tax and permit fee as required by this Act.

(g1) The average daily receipts from the sales of spirituous, vinous or intoxicating malt liquors by a hotel, restaurant or club, shall not exceed the average daily receipts from the sale of cooked or prepared foods sold in connection therewith, and it shall be unlawful for such sales to exceed the receipts from sales of cooked and prepared food.

(g2) It shall be unlawful for a hotel, restaurant or club to sell, dispense or give away vinous, spirituous or intoxicating malt liquors to a person under 21 (twenty-one) years of age or an habitual drunkard or to an intoxicated person or one appearing to be intoxicated or to one who is known to have been convicted of an offense attributable to the use of intoxicating liquor or on Sunday, or on election day, or between midnight and eight o'clock A. M., on week days.

(g3) It shall be unlawful for a hotel, restaurant or club to sell spirituous or vinous liquors in larger quantities than a drink, which shall not exceed three fluid ounces, or intoxicating malt liquors by the glass which shall not exceed eight fluid ounces.

(g4) Any hotel, restaurant or club violating the provisions of this section shall be subject to the penalties provided

in Article ....., Section ....., in addition to revocation of its permit.

§ 13. In addition to such other information, as the State Tax Commission may determine shall be furnished in any application for permits under this Act, the following information shall be given under oath:

(a) The name, age and residence of each applicant and, if there be more than one and they be partners, the partnership name and the age and residence of the several persons so applying, and the facts as to his or their citizenship;

(b) The name and residence of each person interested, or to become interested, in the business of any permittee for which the application is made, together with the nature of such interests; and if such applicant be a corporation, the application shall set forth the name of the corporation, the names of its directors or other governing body, the names of its officers, and the State under the laws of which it is organized;

(c) The premises to be permitted stating the street and number, if the premises have a street and number, and otherwise such apt description as will reasonably indicate the locality thereof. The applicant shall also state the nature of his interest in the premises; and the name of any other person, either as principal or associate, interested with the applicant either in the premises or in the business to be permitted;

(d) A statement that such applicant has not been convicted of a felony; and has not had a permit issued to him under this Act revoked for cause.

§ 14. A permit issued to any person, pursuant to this section, for any premises shall not be transferable to any other person or to any other premises or to any other part of the building containing the permitted premises. It shall be available only to the person therein specified, and for the premises permitted and no other.

§ 15. *No permit shall be transferable or assignable.*

(a) No permit shall be pledged or deposited as collateral security for any loan or upon any other condition; and any such pledge or deposit and any contract providing therefor shall be void.

(b) Permits shall be valid for a period of one year from date of issue, except as provided in this Act, and shall contain, in addition to any further information or material to be prescribed by the rules and regulations of the State Tax Commission, the following:

1. The name of the person to whom the permit is issued.

2. The kind of permit and what kind of traffic in vinous or spirituous or intoxicating malt liquors is thereby permitted.

3. A description by street and number or otherwise of the permitted premises.

4. A statement in substance that such permit shall not be deemed a property or vested right and that it may be revoked at any time pursuant to law.

5. The name and address of the owner of the premises. Upon a change in such ownership the permittee or the new owner may file notice to that effect in writing with the State Tax Commission on forms to be provided by the Commission for such purpose.

(c) There shall be printed and furnished by the State Tax Commission to each permittee a statement of the causes for which permits may be revoked under law. Such statement shall be prepared by the State Tax Commission and delivered to the permittee with his permit or as soon as may be practicable thereafter. Any amendments therein shall also be sent by the State Tax Commission to all permittees as soon as may be practicable after such amendment. Failure to send such statement or changes therein, or failure to receive the same, or any misstatement or error contained in such statement or amendments, shall however, not be an excuse or justification for any violation of law, or prevent or remit or decrease any penalty or forfeiture therefor.

(d) It shall be the duty of every person procuring a permit under this Act or a renewal thereof to publish a notice, in a form to be prescribed by the State Tax Commission, to the effect that such permit has been issued and stating the name of the permittee and the location of the premises permitted, once a week for two successive weeks in a daily or weekly newspaper printed or published in the county in which such premises are located.

(e) Each permit shall be issued for a permit year expiring on the thirtieth day of June following the date of its issuance and the proportionate part of the permit fee prescribed therefor by the provisions of this Act shall be paid in advance at the time the application therefor shall be made as provided by this Act.

(f) Each permit issued pursuant to this Act may be renewed upon application therefor by the permittee and payment of the annual fee for such permit. In case of application for renewal, the State Tax Commission may dispense with the requirement of such statements as it deems unnecessary in view of those contained in the application made for the original permit. The State Tax Commission shall make rules regarding applications for renewal of permits and the time when such applications shall be made.

(g) All permits or license fees shall attach to and operate as a lien on the property on and in the permitted premises or elsewhere, belonging to the person from whom such fees are due.

(h) When application for any permit is made after the first of July in any year, the permit fees therefor for the balance of the permit year shall be in proportion as the remainder of such year bears to the whole year, except that it shall in no case be for less than one-half of such year, and the said amount shall attach and operate as a lien as aforesaid at the time such permit is issued.

§ 16. *Bonds of Permittees.* The State Tax Commission may require the permittees described in this Act to file

with such commission a solvent bond to the people of the State of Kentucky in such penal sum as the commission may, by rule, prescribe, conditioned that such permittee will not suffer or permit any violation of the provisions of this Act or any Act amendatory thereof or supplemental thereto; and that all fines and penalties which shall accrue, during the time the permit shall be in effect, will be paid, together with all costs taxed or allowed in any action or proceeding brought or instituted for a violation of any of the provisions of this Act. A suit to recover on any bond which may be required to be filed by the provisions of this Act, may be brought by the State Tax Commission or on relation of any party aggrieved in a court of competent jurisdiction and in the event that obligor named in such bond has violated any of the conditions of such bond, recovery for the penal sum of such bond may be had in favor of the people of the State.

§ 17. No person hereafter described in this section shall receive a permit:

(a) A person who has been convicted of a felony.

(b) A person under the age of twenty-one.

(c) A person who is not a citizen of the United States.

(d) A co-partnership, unless one or more of the members of such copartnership owning at least one-half interest in the business thereof shall be a citizen of the United States.

(e) A person who shall have had his permit issued under this Act revoked for cause, or who has been convicted of a violation of this Act until the expiration of two years from the date of such revocation or conviction.

(f) A corporation or co-partnership, if any officer or member thereof has been convicted of a violation of this Act or has had a permit issued under this Act revoked for cause, until two years from the date of such conviction or revocation.

§ 18. Where a permit for any premises permitted has been revoked no permit shall be thereafter issued for a period of two years after such revocation for such permitted prem-

ises or for any part of the building containing such permitted premises.

§ 19. Any permit issued pursuant to this Act may be revoked for cause, and must be revoked for the following causes:

(a) Conviction of the permittee or his agent or employee for selling any illegal beverages on the premises permitted.

(b) For making any false, material statement in an application for a permit.

(c) If, within a period of two years, there shall have been two convictions for any violation of this Act, by a permittee; or two convictions of any of his clerks, agents, employees or servants of any violation of this Act on the premises permitted.

(d) For transferring, assigning or hypothecating a permit.

(e) Violating of the provisions of Section 26 of this Act shall cause a forfeiture of the permit of all parties to the violation.

(f) For selling or agreeing to sell any spirituous, vinous or intoxicating malt liquors to a wholesaler, rectifier, dispensary, hotel, club, or restaurant who is not permitted at the time of the agreement and sale to receive, store, transport, sell and dispense same under the provisions of this act.

(g) For failure or default of a permittee to pay any license or permit tax or any part thereof, and/or penalties imposed by this Act and for a violation of any rule or regulation of the State Tax Commission in pursuance thereof.

§ 20. The action by the State Tax Commission in the revocation of a permit may be reviewed by appeal to the Circuit Court of Franklin County, which appeal shall be filed within ten (10) days after the order of the State Tax Commission, and may be prosecuted by any person interested therein. An appeal shall be taken by filing with the Clerk of the Franklin Circuit Court a complete transcript of all the evidence heard

and orders entered by the Tax Commission. No new evidence shall be heard by the court and the judgment of the Franklin Circuit Court may be appealed to the Court of Appeals of Kentucky as in other cases; but the judgment of the court shall not be superseded. Upon the filing of an appeal the Tax Commission shall be given ten days' notice of the hearing to be executed in the manner now provided for the service of process.

§ 21. Within three days after a permit shall have been revoked, notice thereof shall be given to the permittee by mailing such notice addressed to him at the premises permitted. Notice shall also be mailed to the owner of the premises permitted. The holder of such permit shall thereupon surrender same to the State Tax Commission. The mailing thereof by the permittee to the State Tax Commission at Frankfort by registered mail or insured parcel post shall be deemed sufficient compliance with this provision. The State Tax Commission, immediately upon giving notice of revocation, shall serve a written notice thereof upon the Chief of Police or chief police officer of the city or town in which the premises for which the revoked permit was issued is situated, or upon the Sheriff of the county in case the permit was issued for premises situated outside of a city or town. This notice shall include a statement of the number of such permit, the name and place of residence of the holder thereof, the location of the permitted premises, and the date when such permit was revoked.

In case such permit be not forthwith surrendered, the State Tax Commission shall issue a written demand for the surrender of such permit and deliver said demand to the Sheriff of the county in which the permitted premises are located, or to any special agent of the State Tax Commission, and said Sheriff or special agent shall immediately take possession of such permit and return the same to the State Tax Commission.

§ 22. The State Tax Commission may adopt rules and regulations covering the hours in which vinous, spirituous or intoxicating malt liquors may be sold and shall prohibit the sale thereof on election days and may prohibit the sale on legal holidays and Sundays, provided, however, the rules and regulations of the Commission in this respect shall not thereby conflict with the ordinances of any city or town.

§ 23. The State Tax Commission may adopt rules and regulations covering the transportation of vinous, spirituous or intoxicating malt liquors in this State.

§ 24. It shall be unlawful for a manufacturer to—

(a) be interested directly or indirectly in any premises where malt, vinous or spirituous liquors are sold at retail, or in any business devoted wholly or partially to the sale of such liquors at retail, by stock ownership, interlocking directors, mortgage or lien on any personal or real property or any other means;

(b) make any loan to any owner;

(c) enter into a contract with an owner whereby the owner agrees to confine his sales to the products manufactured by one manufacturer. Such contract shall be void.

Any lien, mortgage or other interest or estate, however, now held by a manufacturer on or in the personal or real property of any owner, which mortgage, lien, interest or estate was acquired on or before December thirty-first, nineteen hundred and thirty-three shall not be included within the provisions of this section. The burden of establishing the time of the accrual of the interest, comprehended by this subdivision shall be upon the person who claims to be entitled to the protection and exemption afforded hereby.

§ 25. If a corporation or co-partnership holding a permit under this act shall be dissolved, or if a receiver or assignee for the benefit of creditors be appointed therefor (or if a receiver of assignee for the benefit of creditors be appointed therefor), or if a receiver or assignee for the benefit of credi-

tors or a committee of the property of an individual holding a permit be appointed during the time for which such permit was granted, or if a person holding a permit shall die during the term for which such permit was given, such corporation, co-partnership, receiver or assignee, or the administrator or executor of the estate of such individual, or a committee of the property of a person adjudged to be incompetent, may continue to carry on such business upon such premises for the balance of the term for which such permit fee was paid, with the same right and subject to the same restrictions and liabilities as if he had been the original applicant for and the original holder of such permit, providing the approval of the State Tax Commission shall be first obtained. Before continuing such business, such receiver, assignee, or individual, or committee, shall file a statement setting forth in such form and substance as the State Tax Commission may prescribe by rule and regulation the facts and circumstances by which they have succeeded to the rights of the original permittee. The State Tax Commission may, in its discretion, permit the continuance of such business or may refuse to do so. In the event that the State Tax Commission determines to permit the continuance of the business, the permit shall be submitted to the State Tax Commission and shall have written or stamped across the face of the same, and signed by the State Tax Commission, the words "(here insert the name of the person) is permitted to manufacture or sell (as the case may be) malt, vinous or spirituous liquors, as (here insert the representative capacity, whether as assignee, receiver, executor, administrator, or otherwise) of the original permittee for the unexpired term." For each such indorsement a fee of five dollars shall be paid to the State Tax Commission by the applicant, which shall be paid into the same fund as other permit fees herein provided.

§ 26. Before commencing or doing any business for the time for which a permit has been issued said permit shall be inclosed in a suitable wood or metal frame having a clear

glass space and a substantial wood or metal back so that the whole of said permit may be seen therein, and shall be posted upon and at all times displayed in a conspicuous place in the room where such business is carried on, so that all persons visiting such place may readily see the same. It shall be unlawful for any person holding a permit to post such permit or to permit such permit to be posted upon premises other than the premises permitted, or upon premises, where traffic in beer, wine, or liquor, is being carried on by any person other than the permittee, or knowingly to deface, destroy or alter any such permit in any respect. Whenever a permit shall be lost or destroyed without fault on the part of the permittee or his agents or employees, a duplicate permit in lieu thereof may be issued by the State Tax Commission in its discretion and in accordance with its rules and regulations, on payment of a fee of five dollars ($5.00).

§ 27. The articles enumerated in this section shall not after having been manufactured and prepared for the market be subject to the provisions of this act:

(a) Denatured alcohol or denatured rum produced and used as provided by laws and regulations now or hereafter in force.

(b) Medicinal preparations manufactured in accordance with formulas prescribed by the United States Pharmacopoeia, national formulary or the American Institute of Homeopathy that are unfit for use for beverage purposes.

(c) Patented, patent and proprietary medicines that are unfit for use for beverage purposes.

(d) Toilet, medicinal and antiseptic preparations and solutions that are unfit for use for beverage purposes.

(e) Flavoring extracts and syrups that are unfit for use as a beverage or for intoxicating beverage purposes.

(f) Vinegar and preserved sweet cider.

(g) Wine for sacramental purposes.

(h) Alcohol medicated according to such formulas as

will render it unfit for beverage purposes and which is to be sold for legitimate external use.

(i) Alcohol for mechanical and escientific purposes if unfit for a beverage.

(j) Any person who manufactures, purchases or possesses any of the articles mentioned in this section, or preparations fit for beverage purposes which are authorized to be manufactured, which may be used in the manufacture of other preparations compounded in accordance with formulas prescribed by the United States Pharmacopoeia, national formulary or the American Institute of Homeopathy, which preparations when so manufactured are unfit for use for beverage purposes, or in the manufacture of patented, patent and proprietary or other medicines, or for physicians' prescriptions, which are unfit for use for beverage purposes, may purchase and possess liquors for that purpose, and shall keep such records as are required by the State Tax Commission.

No such manufacturer shall sell, use or dispose of any liquor otherwise than as an ingredient of the articles authorized to be manufactured therefrom. No more alcohol shall be used in the manufacture of any syrup, extract or the articles named in paragraphs 2, 3 and 4 of this section which may be used for beverage purposes than the quantity necessary for the extraction or solution of the elements mentioned therein and the preservation of the article.

Any person who shall knowingly sell any of the articles mentioned in paragraphs 1, 2, 3 and 4 of this section for beverage purposes or any extract or syrup for intoxicating beverage purposes, or who shall sell any of the same under circumstances for which the seller might reasonably deduce the intention of the purchaser to use them for such purpose, shall be subject to the penalties provided in this Act.

ARTICLE V.

§ 1. For the privilege of distilling spirituous liquors, manufacturing vinous or intoxicating malt liquors there is

assessed and there shall be paid an annual permit fee of and by every person engaged therein the sum of one thousand dollars for each and every manufacturing or distilling plant.

§ 2. For the privilege of rectifying, blending or flavoring spirituous liquors there is assessed and there shall be paid an annual permit fee of and by every person engaged therein the sum of fifteen hundred dollars for each and every rectifying, blending or flavoring plant.

§ 3. For the privilege of storing, transporting and selling spirituous, vinous or intoxicating malt liquors at wholesale there is assessed and there shall be paid an annual permit fee of and by every person engaged therein the sum of seven hundred dollars for each separate and distinct establishment.

§ 4. For the privilege of operating a dispensary from which vinous, spirituous and intoxicating malt liquors, are to be dispensed in the manner provided in this act, an annual permit fee, of and by the person engaged therein. The amount of such permit fee, according to the location of the dispensary, shall be as follows:

In counties containing cities of the first class—$500.00 (Five hundred dollars)

In counties containing cities of the second class—$400.00 (Four hundred dollars)

In counties containing cities of the third class—$300.00 (Three hundred dollars)

In counties containing cities of the fourth class—$200.00 (Two hundred dollars)

In all other counties—$100.00 (One hundred dollars).

§ 5. For the privilege of selling spirituous or vinous liquors by the drink or intoxicating malt liquors by the glass, there is assessed and shall be paid an annual permit fee of and by the person engaged therein for each hotel, restaurant or club. The amount of such permit fee according to the location of the hotel, restaurant or club, shall be as follows:

In counties containing cities of the first class—$700.00 (Seven hundred dollars)

In counties containing cities of the second class—$600.00 (Six hundred dollars)

In counties containing cities of the third class—$500.00 (Five hundred dollars)

In counties containing cities of the fourth class—$400.00 (Four hundred dollars)

In all other counties—$300.00 (Three hundred dollars).

§ 6. In addition to the permit fee provided for herein, a license tax of five cents per gallon and a proportional rate on the fractional part thereof on intoxicating malt liquors sold in any container is hereby levied upon the sale or distribution or gift of intoxicating malt liquors. The said tax shall be paid by the manufacturer or brewer if located in the state or if not by the manufacturer's or brewer's agent or wholesaler, if he be in the state, or if none of those just mentioned be in the state, then by the retailer storing, possessing or selling same.

§ 7. In addition to the permit fee provided for herein, a license tax of two (2c) cents per wine gallon or fraction thereof is hereby levied upon the sale or distribution or gift of vinous liquors. The said tax shall be paid by the manufacturer if he is in the state, or if not by the manufacturer's agent or wholesaler, if he be in the state, or if none of these just mentioned be in the state, then by the retailer storing, possessing, or selling same.

§ 8. In addition to the permit fee provided for herein a license of fifteen (15c) cents per proof gallon or fractional part thereof is hereby levied upon the distillation and entry in a bonded warehouse of spirituous liquors and a license fee of ten (10c) cents per proof gallon or fractional part thereof is hereby levied upon the withdrawal thereof and a license fee of twenty-five (25c) cents per proof gallon or fractional part thereof is hereby levied upon the spirituous liquor brought into the state for storage or sale. In the event for any reason the license of fifteen (15c) cents per proof gallon or fractional part thereof is not paid or in the event it is held that said

license is not collectable, then said license upon the withdrawal thereof shall be twenty-five (25c) cents in lieu of the license of ten (10c) cents upon the withdrawal as herein above provided. The tax shall be paid by the distiller or manufacturer, if he is in the state or, if not, by the manufacturer's or distiller's agent, if he is in the state, or if neither of these just mentioned, then by the retailer storing, possessing, selling or dispensing same.

§ 9. In addition to the permit fee provided for herein a license fee of twenty-five cents per proof gallon or fraction thereof, is hereby levied upon the mixing, rectifying, blending or flavoring of spirituous liquors. The said tax shall be paid by the rectifier if he be in this state or if not by the rectifier's agent if he be in the state, or if neither of these first mentioned be in the state, then by the retailer, storing, possessing or selling same.

§ 10. All license taxes provided and levied under this act shall be due and payable on the tenth day of each month succeeding the time when the act is done requiring the license and it shall be the duty of the person required to pay the license to make a report giving such facts and in such form and substance as the State Tax Commission shall by rule require, and all payments therefor shall be made to the State Tax Commission payable to the State Treasurer and all permit fees shall likewise be made to said Tax Commission and payable to the Treasurer. All monies derived from the provisions of this act shall go and be credited to the General Expenditure fund.

ARTICLE VI.

§ 1. All forms, rules and regulations required under this Act shall be printed by the Public Printer at the expense of the Commonwealth and there is hereby appropriated out of the State Treasury to be paid out of the fund collected under the provisions of this Act the sum of $50,000.00 an-

nually to be used for stationery, printing, postage, traveling and incidental expenses of the members of the Boards, officers or employees enforcing the provisions of this Act. No expenditure shall be made except on the written authorization of the Chairman of the State Tax Commission and the Auditor of Public Accounts shall not draw his warrant on the State Treasurer for the payment thereof until a sworn itemized statement of the purpose of said expenditure is filed by the payee and the account therefor approved by the Chairman of the State Tax Commission.

§ 2. No suit shall be maintained in any court to restrain or delay the collection or payment of any fee or tax levied by this Act. The aggrieved taxpayer or permittee shall pay the tax or fee as and when required and may at any time within two years from the date of such payment sue the Commonwealth through its agent, the Auditor of Public Accounts, in an action at law in any court, State or Federal, otherwise having jurisdiction of the parties and subject matter for the recovery of the tax or fee paid with legal interest thereon from the date of payment. If it is finally determined that said tax or fee or any part thereof was wrongfully collected, for any reason, it shall be the duty of the Auditor of Public Accounts to issue his warrant on the Treasurer of the Commonwealth of Kentucky for the amount of such tax or fee so adjudged to have been wrongfully collected, together with legal thereon. The Treasurer shall pay the same at once out of the general expenditure fund of the State in preference to other warrants or claims against the Commonwealth. A separate suit need not be filed for each individual payment made by any taxpayer, but a recovery may be had in one suit for as many payments as may have been made.

Article VII.

§ 1. It shall be unlawful to sell intoxicating alcoholic liquors at the places, on the day, during the hours, to the per-

sons or under the circumstances set out below, and the penalties herein prescribed shall be in addition to any other penalty prescribed by law on account of sale of intoxicating liquor:

(a) Any person who shall sell, give away, or dispose of intoxicating liquors to a minor or habitual drunkard or an intoxicated person shall be guilty of a misdemeanor and for the first offense be punishable by a fine of not less than $100.00 nor more than $250.00 and for the second and subsequent offenses, he shall be guilty of a misdemeanor and punishable by a fine of not less than $250.00 nor more than $500.00 or by imprisonment in the county jail for not less than six months nor more than one year, or both so fined and imprisoned in the discretion of the jury.

(b) Any person who shall sell intoxicating alcoholic liquor on Sunday or on any election day while the polls are still open or between midnight and eight o'clock A. M., on week days shall be guilty of a misdemeanor and for the first offense be punishable by a fine or not less than $100.00 nor more than $250.00 and for the second and subsequent offenses he shall be guilty of a misdemeanor and punishable by a fine of not less than $250.00 and not more than $500.00 or by imprisonment in the county jail for not less than ten days nor more than six months or both so fined and imprisoned in the discretion of the jury.

(c) Any person who shall by himself or his employee, or servant, or agent for himself, or any other person, keep or carry around on his person, or in any vehicle or leave in a place for another to secure, any intoxicating alcoholic liquor with intent to sell the same in violation of this Act, or who shall, within this State in any manner directly or indirectly, solicit, take or accept any order for the purchase, sale, shipment or delivery of intoxicating liquor for beverage purposes in violation of the requirements of this Act shall be guilty of a misdemeanor and shall be fined not less than $250.00 nor more than $500.00 for the first offense and for the second and subsequent offenses he shall be guilty of a misdemeanor and

shall be subject to a fine of not less than $250.00 nor more than $1,000.00 or to imprisonment in the county jail for not less than thirty days nor more than one year or both so fined and imprisoned in the discretion of the jury.

(d) Any person who shall sell intoxicating alcoholic liquor to any person who has been reported to the seller, by the juvenile court, or any officer acting by its direction, as failing to make a proper provision for his or her family shall be guilty of a misdemeanor and shall be fined not less than $50.00 nor more than $250.00 or imprisoned not less than ten days nor more than sixty days or both so fined and imprisoned within the discretion of the jury.

(e) Any manufacturer or jobber who shall sell or deliver intoxicating liquor within this State to a retailer who does not possess a valid license tax receipt, as provided for in this Act, shall be guilty of a misdemeanor and for the first offense shall be fined not less than $250.00 nor more than $1,000.00 or imprisoned not less than thirty days nor more than six months, or both so fined and imprisoned in the discretion of the jury.

§ 2. Any person found guilty a second time of any one of the offenses set out in Section 15 hereof where the penalty for a second offense or other subsequent offenses is not specifically provided, shall be fined not less than $500.00 nor more than $1,000.00 or confined in the County jail not less than one month nor more than six months or both so fined and imprisoned within the discretion of the jury.

For a third or any subsequent conviction of the same offense, the person so offending shall be punished by a fine of not less than $1,000.00 or confinement in the county jail for not less than one month nor more than twelve months or both so fined and imprisoned in the discretion of the jury.

§ 3. It shall be unlawful for any person to buy, bargain, sell, loan, own, have in possession or knowingly transport, an illicit still designed for the unlawful manufacture of intoxicating liquors or any apparatus designed for the unlawful manu-

facture of intoxicating liquors or any apparatus designed for the unlawful manufacture of spirituous, vinous, malt or intoxicating liquors, and any person or persons convicted of the offenses enumerated in this section shall be fined not less than fifty dollars, nor more than five hundred dollars, or in addition shall be imprisoned in the county jail for not exceeding six months. Upon a second conviction of any offense enumerated in this section the defendant or defendants, if individuals, shall be confined in the penitentiary for not less than one year, nor more than five years, and for the third and each subsequent conviction of any offense enumerated in this section, shall be confined in the penitentiary for not less than five years, nor more than ten years.

Upon a second or any subsequent conviction of any corporation under this section, a fine shall be imposed of not less than one thousand dollars, nor more than five thousands dollars, in the discretion of the jury.

§ 4. Every person knowingly aiding or abetting any person, firm or corporation in the violation of any section of this Act, shall be deemed a principal and punished as such.

§ 5. An illicit still or apparatus designed for the unlawful manufacture of intoxicating liquor shall include an outfit or parts of an outfit, commonly used, or intended to be used, in the distillation or manufacture of spirituous, vinous or malt liquors which is not duly registered in the office of a Collector of Internal Revenue for the United States, and the burden of proving that same is so registered shall be on the defendant or defendants under charge.

§ 6. All persons who are convicted under this Act, where a jail sentence is inflicted as part of the punishment, shall serve out the jail sentence at hard labor, and all fines and costs assessed against any person under this Act, and not paid or replevied, shall be served out by confinement at hard labor at the rate of one day for each dollar of such fines and costs.

§ 7. In any prosecution or proceeding for any violation of this Act, the general reputation of the defendant or de-

fendants for moonshining, bootlegging, or being engaged in the illicit manufacture of, or trade in, intoxicating liquors, shall be admissible in evidence against said defendant or defendants.

§ 8. On a third conviction for violation of any of the provisions of this Act, the court shall require the defendant in addition to the penalty inflicted to execute a bond in the sum of not less than $500.00 nor more than $2,500.00, to be of good behavior for twelve months and not violate any of the laws of Kentucky relative to the selling, possession, transportation or manufacture of intoxicating liquors and if the bond be not executed, the defendant shall be committed to the county jail in default of said bond for a period of ninety days. The order of the trial court requiring the execution of the bond herein provided for shall not be considered a part of the punishment inflicted under this Act, but as a security against future violations of the provisions of this Act and said order shall not be subect to appeal.

§ 9. The court, upon conviction of any defendant for illegal manufacture or sale or gift of intoxicating alcoholic liquors, shall order the destruction of any illicit stills or apparatus designed for the manufacture of intoxicating liquor belonging to or under the control of such defendant and may order the copper or other property sold and the proceeds of the sale shall be paid to the county treasurer of the county for the benefit of the road fund.

§ 10. Any person who shall in any public place, or highway, or street, or in or upon any passenger coach, street car, or in or upon any vehicle commonly used for the transportation of passengers, except in restaurants, clubs or hotels as before defined, or in or about any depot, platform, waiting station or room, drink any intoxicating liquor of any kind, or if any person shall be drunk or intoxicated in any public place, or in any passenger coach, street car, or other public place or building, or at any public gathering, or if any person shall be drunk and disorderly, he shall be guilty of a misdemeanor

and upon conviction thereof shall be punished by fine of not less than five dollars ($5.00) nor more than one hundred ($100.00) dollars, or by imprisonment for not less than five days nor more than thirty days, or by both such fine and imprisonment.

§ 11. Every railroad conductor is hereby authorized and empowered to exercise in every county in this State, through which the train in charge of such conductor passes, all his common law and statutory powers for the purpose of enforcing the provisions of the last preceding section, and to arrest offenders against any such provisions, and in so doing they shall be considered as acting for the State and not as employees of the railroad company. Arrests for offenses against such provisions may be made by such conductor without warrant, and persons so arrested shall be delivered by him to some justice of the peace, police judge, sheriff, constable or police officer at some station or place within the county in which the offense was committed, for trial as provided by law; provided, that if the train shall have passed from the county in which such offense was committed and for which such arrest shall have been made, then such conductor shall deliver the person so arrested to some officer of another county, and he shall be held and delivered to some officer of the county in which the offense was committed to be there held for trial as provided by law. When any railroad conductor, who is actually engaged in the discharge of his duty, makes a legal arrest under the provisions of this section, then and in that case the railroad company employing him shall not be liable for damages to the person or persons for such arrest.

§ 12. Any person who shall sell, barter, exchange or give any intoxicating alcoholic liquor without having a valid license as provided by this Act shall, in addition to losing his license, be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than fifty ($50.00) dollars, nor more than five hundred ($500.00) dollars, or imprisoned for not more than six months for each offense.

§ 13. Any hotel, club or restaurant which shall violate any provision, or provisions, of this Act shall, in addition to losing its license, be deemed guilty of a misdemeanor and upon conviction, shall be fined not less than two hundred and fifty ($250.00) dollars, nor more than one thousand ($1,000) dollars, for each offense.

§ 14. Any person who has in his possession intoxicating alcoholic liquor not obtained under, and in conformity with the provisions of this Act shall be deemed guilty of a misdemeanor and shall, upon conviction, be fined not less than five ($5.00) dollars nor more than one hundred ($100.00) dollars, or imprisoned for not exceeding three months, or both so fined and imprisoned. This penalty shall apply whether the said intoxicating liquor is for the use of the person illegally possessing same or for the use and benefit of another and each act in violation of this section shall constitute a separate misdemeanor. Nothing herein contained shall relieve any license from the forfeiture of his license as provided elsewhere in this Act.

§ 15. Quarterly courts, and the judges thereof, justices of the people and police courts, shall have concurrent jurisdiction with the circuit court in the trial of all offenses committed in their respective jurisdictions under the provisions of this Act, where the penalty which may be inflicted does not exceed a fine of three hundred ($300.00) dollars and imprisonment in the county jail not exceeding sixty days.

Article VIII.

§ 1. Upon application, by written petition, signed by a number of legal voters in any county, city, town, district, or precinct to be efected, equal to twenty-five per cent of the votes cast therein at the last preceding general election, it shall be the duty of the judge of the county court in such county at the next regular term thereof after receiving said petitions, to make an order on his order book directing an

election to be held in such county, city, town, district or precinct to be effected thereby, on some day named in said petition no earlier than sixty days after said application is lodged with the judge of said court, which order shall direct the sheriff, or other officer of said county, who may be appointed to hold said election, to open a poll at each and all of the voting places in such county, city, town, district or precinct on said date, for the purpose of taking the sense of the legal voters of such county, city, town, district, or precinct, who are qualified to vote at elections for county officers, upon the proposition whether or not spirituous, vinous or malt liquors, shall be sold, bartered or loaned therein.

§ 2. It shall be the duty of the county clerk to give to the sheriff of the county, or such officer as may be appointed to hold said election, a certified copy of the order of the county court as it appears on the order book within five days after said order is made; and it shall be the duty of said sheriff or other officer to have said order published in some weekly or daily paper published in the county for at least two weeks before the election, and also to advertise the same by printed or written handbills posted at some conspicuous place in each precinct in the county, for the same length of time, when the election is held for the entire county; and when the election is ordered to be held only in a city, town, district, or precinct of any county, then at five conspicuous places therein for the same length of time; and in any case, if there is no weekly or daily newspaper published in the county, or the proprietor of such newspaper refuses to publish such notice, the printed or written handbills, posted as before provided for, shall be sufficient notice. The sheriff, or other officer, shall have the advertisement and notices herein provided for posted as herein required within seven days after he receives the order of the county court. All elections provided for in this act shall be held by such officers as would be qualified to hold elections for county officers, and they shall be selected in the same way, and all elections provided for herein shall be held in accord-

ance with the provisions of the general election laws of the State, except that they shall not be held on the same day with any regular political election, nor within thirty days next preceding or following any such regular political election.

§ 3. If it shall be found that a majority of the legal votes cast at any election herein provided for were given for or against the sale, barter or loan of spirituous, vinous or malt liquors in the county, city, town, district or precinct, it shall be the duty of the canvassing board to certify that fact, which certificate shall be delivered to the clerk of the county court, and by him safely kept until the next regular term of the county court, at which term the judge thereof shall have the same spread on the order book of his court and said entry of the certificate in the order book of a certified copy thereof, shall be *prima facie* evidence in any or all proceedings under this act.

§ 4. Whenever a local option election shall be held in any county, city, town, district or precinct in this State and a majority of the votes cast at said election shall be in favor of prohibiting the sale of liquor in the territory in which the election shall have been held, the law prohibiting said sale shall be in full force and effect at the expiration of sixty days from the date of the entry of the certificate of the canvassing board in the order book of the county court and after the expiration of said sixty days no liquor license theretofore issued in said territory under the laws of this State, shall be of any force or effect whatever, but the owner of said license shall be entitled to recover from the said county, city, town, district or precinct to which the license money was paid, such proportional part thereof as the unexpired period of license bears to the whole of the year; and any person who shall after said sixty days sell, barter, or loan, directly or indirectly, any such liquors in said city, county, town, district or precinct, shall upon conviction be fined not less than $60.00 nor more than $100.00 and be confined in the county jail for not less than twenty nor more than forty days for each offense, and

any person who knowingly furnishes or rents a house, room, wagon or any conveyance or thing in which spirituous, vinous, or malt liquors are sold, bartered or loaned, in violation of this act shall upon conviction thereof be fined not less than $60.00 nor more than $100.00 and the house, wagon, vehicle or other thing in which the liquors were sold, bartered or loaned shall be liable for all fines adjudged against the person selling, bartering or loaning the same. In the event that a majority of the votes cast at said election shall be in favor of the sale of liquors then no license shall be granted to any person, firm or corporation to sell such liquors in said territory until after the expiration of the aforesaid sixty days, if the issuing of the liquor license was in that territory prohibited by law prior to the holding of said election.

§ 5. It shall be unlawful for any one to sell, barter or loan, directly or indirectly any beverage containing any alcohol; or any liquid mixture or decoction of any kind which produces or causes intoxication in any county, city, town, district or precinct in which the sale, barter or loan of spirituous, vinous or malt liquors is or shall be prohibited in accordance with the local option law. Any person who shall sell, barter or loan, directly or indirectly, any such beverage, liquid mixture or decoction in any such county, city, town, district or precinct, shall upon conviction be fined the sum of not less than twenty nor more than one hundred dollars for each offense or any sale, barter or loan of any article with the agreement expressed or implied that the right or title to or possession of any such beverage, liquid mixture or decoction, shall also pass, shall be considered a sale, barter or loan within the terms of this act. The possession of a United States special tax stamp (commonly called United States license) for carrying on the business of a retail dealer in spirituous, vinous or malt liquors, or the having of such tax stamp, or permit issued by State Tax Commission or license at the place of business in such territory shall be *prima facie* evidence of guilt under this section.

Provided: That nothing herein shall prohibit the sale, barter, or loan, or having in the custody or possession of any person, any beverage, liquid mixture or decoction, for the sale of which the United States does not require the payment of the special tax on retail liquor dealers.

§ 6. In an indictment for a violation of any provision of this act or for a violation of any act amendatory hereof, it shall not be necessary to allege that a vote was taken or any election held, or any other step relative thereto; but it may be simply stated that the act or acts charged were committed in a territory where the said act was in force; and in said indictment it shall be sufficient to designate said act as the local option law.

It shall be unlawful for any person to sell, lend, give, procure for, or furnish to another, any spirituous, vinous or malt liquors, or to have in his possession spirituous, vinous, or malt liquors, for the purpose of selling them in any territory where said act is in force, and any person so offending shall be fined not less than fifty nor more than one hundred dollars, and imprisoned not less than ten nor more than fifty days.

The possession of a United States special tax stamp, (commonly called United States license) and/or the permit of the State Tax Commission as provided in this act for carrying on the business of a retail dealer in spirituous, vinous or malt liquors, or the having of such tax stamp or license stuck up at the place of business in such territory shall be *prima facie* evidence of guilt under this section.

On the second or any subsequent conviction for a violation of said act, or any of its amendments, the court shall require the defendant to execute bond in the sum of two hundred dollars to be of good behavior for the period of twelve months.

The court may, in its discretion, increase the amount of the bond, and if the bond is not given the defendant shall be

committed to the county jail for a period not exceeding ninety days, to be fixed by the court.

All the shipments of spirituous, vinous or malt liquors to be paid for on delivery, commonly called "C. O. D. shipments", into any county, city, town, district or precinct where said act is in force shall be unlawful and shall be deemed sales of such liquors at the place where the money is paid or the goods delivered; the carrier and his agents selling or delivering such goods shall be liable jointly with the vendor thereof.

§ 7. The provisions of this act shall not apply to any manufacturer or wholesale dealer, who, in good faith, and in the usual course of trade, sells by the wholesale, in quantities of not less than five gallons, delivered at one time, not to be drunk on the premises; nor shall the provisions of this act apply to dispensaries, hotels, restaurants or clubs, unless it be written in the petition, notice and order for the election that provisions of this law and prohibition shall apply to dispensaries, hotels, restaurants or clubs; if not so written, then licensed dispensaries, hotels, restaurants or clubs may sell for medicinal purposes in the manner provided in this act.

§ 8. It shall be unlawful to sell by wholesale any spirituous, vinous, malt or other intoxicating liquors, regardless of the name by which it is called (except manufacturers selling liquors of their own make at the place of manufacture to a wholesale dealer or a licensed retail dealer) in any county, city, town, district or precinct where the sale of such liquor has been prohibited by vote of the people under the local option law. Any person violating this act shall be deemed guilty of violating the local option law, and shall be subject to trial and punishment according to the provisions of the same and its amendments.

§ 9. The county court shall not make the order for said election until the persons signing the petition have deposited with the county judge, in money, an amount sufficient to pay for printing or posting advertisements as provided for, and the fees of the clerk making entries in the order book.

§ 10. (a) No election in any town, city, district or precinct of a county shall be held, under this article on the same day on which an election for the entire county is held. When an election is held in an entire county and a majority of the legal votes cast at said election are against the sale, barter or loan of spirituous, vinous, malt or other intoxicating liquors, then it shall not be lawful to sell, barter or loan any such liquors in any portion of the county. If, at such an election for the entire county, the majority of the legal votes cast are in favor of the sale, barter or loan of any such liquors, such election shall not operate to make it legal to grant license to sell, barter or loan such liquors in any territorial division of such county from which the sale, barter or loan has been excluded by an election held under this article but the status of such territorial division shall remain as if no such election had been held.

(b) No election shall be held in any election precinct under this act on the same day on which an election is held for the district or city of which the precinct is a part. If at an election held for such entire district or city, the majority of legal votes cast shall be in favor of the sale, barter or loan of spirituous, vinous, malt or other liquors, then the status in the several precincts thereof shall remain as it was before said election; but if the majority should be against the sale, then the sale, barter or loan of such liquors shall be unlawful in every portion of said district or city.

§ 11. If, at any election provided for in this act, a majority of the legal votes cast are against the sale, barter or loan of said spirituous, vinous or malt liquors, the sale, barter or loan of any such liquors shall be unlawful in such county, city, town, district or precinct, as the case may be, except as provided, unless at a subsequent election held under this act a majority of the legal votes cast shall be in favor of the sale of said liquors.

If, at any election provided for in this act, any person shall vote who is not entitled to vote under the laws of this

Commonwealth at elections for county officers, he shall be punished as for a violation of the general laws on elections; and all general laws to protect the purity of elections shall be applicable to this act.

§ 12. The election or elections herein provided for shall not be held for any county, city, town, district or precinct oftener than once in every three years.

§ 13. It shall be the duty of the judges of the circuit courts to give this act in charge to the grand juries of the counties within their jurisdiction.

§ 14. Any election held under this law may be contested as provided for in this section:

1. The contest shall be heard and determined by the same board which, by law, is authorized and empowered to hear and determine a contest of an election for county officers; and the same provisions of the statutes shall apply to the contest of any election held under this law as are provided for the contest of any election for county officers, except as hereinafter provided.

2. Any number of the citizens and legal voters, but not less than ten of the county, city, town district, or precinct in which the election has been held, shall have the right to contest any election held under this law, and shall be designated the contestants. Such contestants shall, within ten days after the final action of the examining board, file in the office of the clerk of the county court a written statement of the grounds of the contest, and shall cause a copy thereof to be served on the county judge, and shall give notice thereof by written or printed notice to be posted at the courthouse door of the county, and in three or more public places in the county, city, town, district or precinct in which the election has been held, and shall cause the same to be published in some newspaper of the county, when possible, for two consecutive issues, commencing not later than the first issue of the paper after filing the statement. When a notice of the contest shall be executed on the county judge, the certificate shall not be recorded.

3. Any number of the citizens and legal voters, not less than ten, of the county, city, town, district or precinct in which the election has been held, may resist the contest by filing in the office of the clerk of the county court a statement controverting the grounds of the contestants, and may state any additional grounds to sustain the election, and they shall be designated as the contestees.

4. Notice for the taking of depositions or other proceedings in such contest may be executed on the person whose name appears first as contestant or contestee, which shall be deemed notice to all his associates. In case the required number shall fail to appear as contestees, *ex parte* testimony shall be competent before the contesting board.

5. The trial of the case shall be on the fourth Monday after the filing in the county clerk's office of the grounds of the contest; but the board, for good cause, may allow further time.

6. The decision of the board shall be given in writing and signed in triplicate. One copy shall be delivered to the contestants, and one copy to the contestees, and the other shall be delivered to the county clerk of the county in which the contest is pending, which shall be entered on the order book of the county court; and if the decision of the board be that a majority of the legal votes cast at the election were against the sale of such liquors, the entry of such decision shall have the same effect as the recording of the certificates of the examining board as hereinbefore provided.

§ 15. The contestants or contestees shall have the right to appeal from the decision of the board to the circuit court of the county where the contest is pending, in the same way as appeals are taken from the quarterly court to the circuit court; an appeal may also be taken from the circuit court to the court of appeals.

§ 16. The cost of the contest shall be adjudged against the unsuccessful parties.

ARTICLE IX.

§ 1. All of Chapter 33, Act of General Assembly of 1922, approved March 22, 1922, being Sections 2554a-1, 2554a-2, 2554a-3, 2554a-4, 2554a-5, 2554a-6, 2554a-7, 2554a-8, 2554a-9, 2554a-10, 2554a-11, 2554a-12, 2554a-13, 2554a-14, 2554a-15, 2554a-16, 2554a-17, 2554a-18, 2554a-19, 2554a-20, 2554a-21, 2554a-22, 2554a-23, 2554a-24, 2554a-25, 2554a-26, 2554a-27, 2554a-28, 2554a-29, 2554a-30, 2554a-31, 2554a-32, 2554a-33, 2554a-34, 2554a-35, 2554a-36, 2554a-37, 2554a-38, 2554a-39, 2554a-40, 2554a-41, 2554a-42, 2554a-43, 2554a-44, 2554a-45, 2554a-46, and 2554a-47, Carroll's Kentucky Statutes, 1930 Edition, is hereby repealed.

§ 2. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed.

ARTICLE X.

§ 1. The articles and sections of this Act are severable, and if any of its articles or sections shall be held unconstitutional, such article or section held to be invalid, may be rejected without affecting the remainder of the Act and the decisions of the courts shall not affect or impair the remaining articles or sections of this Act. It is hereby declared as a legislative intent that this Act would have been adopted had not such unconstitutional articles or sections been included therein.

It is hereby declared to be the legislature's intention in enacting this Act, that each article and section is separate and severable, and that each article and section would have been enacted separately.

ARTICLE XI.

Whereas, the repeal of the Eighteenth Amendment to the Constitution of the United States has created an emergency which requires immediate control of intoxicating liquors; and,

Whereas, the present state revenue does not meet the needs for the maintenance and development of the State Government and its agencies and the State's credit is threatened with impairment, an emergency is declared to exist and this act shall become a law and be effective on its passage and approval or non-action by the Governor, as provided in the Constitution of Kentucky.

Mr. Leo King of the Committee on Rules, offered the following amendments to said Substitute, viz.:

1. Amend Committee Substitute for H. B. 376 by striking from line 2 of Section 2, Article 4, on page 9 of the printed bill, the words "at retail".

2. Amend Committee Substitute for H. B. 376 by striking therefrom on pages 30 and 31, paragraphs and Sections 6, 7, 8 and 9 of the printed bill.

3. Amend Committee Subtstitute for H. B. 376 by inserting in line 16, page 39, of Section 1 of Article VIII, immediately following the word "or" and before the word "malt", the word "intoxicating".

4. Amend Committee Substitute for H. B. 376 by adding and inserting the word "rectifying" after the word "for" and before the word "purifying" on line 2, Section 4, page 11, of the printed bill.

Said amendments were each and severally agreed to.

Mr. Webb offered the following amendment to said bill, viz.:

Amend Committee Substitute for H. B. 376 by striking from the printed copy of the bill, Subsections (a), (b), (c), (d), (e), (f), (g1), (g2), (g3), (g4), of Subsection 12, Article IV, on pages 16, 17 and 18, and each and every word thereof.

Said amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Webb and Francis, were as follows, viz.:

Those who voted in the affirmative were—

Wallace Brown	Ralph Gilbert	Waylon Rayburn
R. A. Demunbrun	R. M. Harrison, Jr.	Avery Sartin
S. S. Dickson	Glenn W. Lane	Robert E. Webb
George Dunlap	Alden L. Love	B. M. Williams
Kelly J. Francis	James I. Peters	

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Those who voted in the negative were—

Henry H. Allen	F'erd A. Gnau	Tyler Munford
Levi Baker	C. Gottschalk	Rodes K. Myers
Harold L. Barnes	J. S. Hall	Richard H. Nufer
Robert E. Beatty	W. Yancey Handy	Robert A. Persky
B. F. Bedford	J. Joseph Hettinger	Steve Pieratt
Wm. B. Belknap	Dr. A. L. Hill	Kleber F. Price
C. J. Bowen	G. W. Howard	G. M. Pritchett
Corbett Brown	Ira W. Hulette	Pat Rankin
Frank C. Bruton	T. M. Johnson	W. P. Renfro
Hugh K. Bullitt	F. P. Kessee	Jos. W. Schneider
Mrs. Cecil Cantrill	Leo King	Mrs. M. B. Scott
Sidney J. Collins	John Kirtley	Lafe J. Spencer
D. B. Coughlin	M. T. McCarthy	Lyle C. Tackett
Joel T. Crenshaw	George R. McIntosh	John W. Taylor
G. Cunningham	Herschel McKinley	Elmore J. Thomas
W. J. Curtis	Roy McWaters	Harry B. Thornton
Clarence E. Evans	C. C. May	J. Sterling Towles
Rudy Ferguson	J. S. Mattingly	Starling B. Tracy
T. P. Fitzpatrick	G. Samuel Milam	Henry T. Ward
J. B. Floyd	H. H. Miller	J. B. Wicker
L. J. Gammon	W. H. Miller	
W. J. Garnett	James B. Milliken	

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Mr. Persky offered the following amendment to said bill, viz.:

Amend Committee Substitute for H. B. 376, on page 29 of the printed bill, by striking in line 6 of Section 4, in Article V, the figures and words "five hundred dollars" and substituting in lieu thereof the figures and words "two hundred dollars"; by striking in line 8 of Section 4 of Article V the words and figures "four hundred dollars" and substituting in lieu thereof the words and figures "one hundred and fifty dollars"; by striking in line 10 of Section 4 of Article V the words and figures "three hundred dollars" and substituting therefor the figures and words "one hundred dollars"; by striking in line 12 of Section 4 of Article V the figures and words "two hundred dollars" and substituting therefor the figures and words "seventy-five" dollars; by striking in line 14 of Section 4, of Article V the figures and words "one hundred dollars" and substituting in lieu thereof the figures and words "twenty-five dollars."

Said amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Persky and Gammon, were as follows, viz.:

Those who voted in the affirmative were—

Sidney J. Collins	R. M. Harrison, Jr.	Jos. W. Schneider
D. B. Coughlin	John Kirtley	John W. Taylor
L. J. Gammon	Robert A. Persky	
C. Gottschalk	Pat Rankin	—10

Those who voted in the negative were—

Henry H. Allen	O. J. Bowen	G. Cunningham
Carroll D. Asbury	Corbett Brown	W. J. Curtis
Levi Baker	Wallace Brown	R. A. Demunbrun
Harold L. Barnes	Frank C. Bruton	S. S. Dickson
Robert E. Beatty	Hugh K. Bullitt	George Dunlap
B. F. Bedford	Mrs. Cecil Cantrill	Clarence E. Evans
Wm. B. Belknap	Joel T. Crenshaw	Rudy Ferguson

Kelly J. Francis	Glenn W. Lane	Kleber F. Price
W. J. Garnett	Alden L. Love	G. M. Pritchett
Ralph Gilbert	George R. McIntosh	Waylon Rayburn
Ferd A. Gnau	Herschel McKinley	W. P. Renfro
W. Yancey Handy	Roy McWaters	Avery Sartin
J. Joseph Hettinger	C. C. May	Mrs. M. B. Scott
Dr. A. L. Hill	J. S. Mattingly	Harry Sparks
John R. Hobbs	L. B. Meadors	Lafe J. Spencer
G. W. Howard	G. Samuel Milam	Elmore J. Thomas
Ira W. Hulette	H. H. Miller	Harry B. Thornton
G. C. Johnson	James B. Milliken	J. Sterling Towles
T. M. Johnson	Tyler Munford	Starling B. Tracy
F. P. Kessee	Rodes K. Myers	Robert E. Webb
J. H. King	Richard H. Nufer	J. B. Wicker
W. L. Knuckles, Jr.	Steve Pieratt	B. M. Williams

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Dr. Hill moved the Previous Question.

Thereupon the Speaker announced: "Shall the Main Question be now put?"

Which was decided in the affirmative.

Said Substitute was then adopted, as amended.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	Rodes K. Myers
Levi Baker	Ferd A. Gnau	Richard H. Nufer
Robert E. Beatty	C. Gottschalk	Robert A. Persky
B. F. Bedford	J. Joseph Hettinger	James I. Peters
Wm. B. Belknap	Dr. A. L. Hill	Kleber F. Price
O. J. Bowen	G. W. Howard	G. M. Pritchett
Corbett Brown	Ira W. Hulette	Pat Rankin
Wallace Brown	T. M. Johnson	W. P. Renfro
Hugh K. Bullitt	F. P. Kessee	Jos. W. Schneider
Mrs. Cecil Cantrill	Leo King	Mrs. M. B. Scott
Sidney J. Collins	M. T. McCarthy	Lafe J. Spencer
D. B. Coughlin	George R. McIntosh	John W. Taylor
Carroll L. Cropper	Herschel McKinley	Elmore J. Thomas
G. Cunningham	Roy McWaters	Harry B. Thornton
W. J. Curtis	C. C. May	J. Sterling Towles
Clarence E. Evans	J. S. Mattingly	Starling B. Tracy
Rudy Ferguson	H. H. Miller	Henry T. Ward
T. P. Fitzpatrick	W. H. Miller	J. B. Wicker
J. B. Floyd	James B. Milliken	
L. J. Gammon	Tyler Munford	—58

Those who voted in the negative were—

Carroll D. Asbury	Garland Embry	C. C. McMasters
Harold L. Barnes	Kelly J. Francis	L. B. Meadors
Marshall Barnes	Ralph Gilbert	G. Samuel Milam
Reuben J. Boling	J. S. Hall	Clarence Miller
Jas. C. Bright	W. Yancey Handy	M. D. Phelps
Frank C. Bruton	Judson Harmon	Steve Pieratt
Charles Chandler	R. M. Harrison, Jr.	Waylon Rayburn
J. A. Coleman	John R. Hobbs	L. D. Sandlin
Joel T. Crenshaw	G. C. Johnson	Avery Sartin
Harry Davis	J. H. King	Harry Sparks
R. A. Demunbrun	W. L. Knuckles, Jr.	Robert E. Webb
S. S. Dickson	Glenn W. Lane	B. M. Williams
George Dunlap	Alden L. Love	—38

Resolved that the title thereof be as amended.

Mr. Leo King moved that the vote by which said bill was passed, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 463. An Act defining the amount annually levied and collected for that year by any County, City, or Town, to be designated as Section 4281u-4a, Carroll's Kentucky Statutes, 1930 Edition, as follows:

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That the annual income of any county, city, town or municipality shall be defined as being the sum actually raised by the rate of taxation actually levied upon the general taxable property therein, and in no case shall it exceed the limits set out in Section 157 of the present Constitution, and any expenditure in excess of such annual anticipated income based on the rate actually levied for such year shall be void regardless of what purposes said excess shall have been expended for.

All Acts or parts of Acts in conflict herewith are hereby repealed to the extent of such conflict.

Mr. Coughlin offered the following amendment to said bill, viz.:

Amend H. B. 463, line 1 of the printed bill, by striking the word "or" therefrom and inserting the words "or taxing district" after the word "municipality".

Said amendment was agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Garland Embry	G. Samuel Milam
Carroll D. Asbury	Clarence E. Evans	H. H. Miller
Levi Baker	Rudy Ferguson	James I. Peters
Harold L. Barnes	Kelly J. Francis	M. D. Phelps
Marshall Barnes	W. J. Garnett	Steve Pieratt
Robert E. Beatty	Ralph Gilbert	Kleber F. Price
B. F. Bedford	J. S. Hall	G. M. Pritchett
Wm. B. Belknap	Judson Harmon	Pat Rankin
O. J. Bowen	Dr. A. L. Hill	W. P. Renfro
Jas. C. Bright	John R. Hobbs	L. D. Sandlin
Wallace Brown	G. C. Johnson	Avery Sartin
Frank C. Bruton	F. P. Kessee	Mrs. M. B. Scott
Hugh K. Bullitt	J. H. King	Lafe J. Spencer
Mrs. Cecil Cantrill	Leo King	Lyle C. Tackett
Charles Chandler	John Kirtley	John W. Taylor
J. A. Coleman	W. L. Knuckles, Jr.	Elmore J. Thomas
Sidney J. Collins	Glenn W. Lane	J. Sterling Towles
D. B. Coughlin	Alden L. Love	Starling B. Tracy
Joel T. Crenshaw	Herschel McKinley	Henry T. Ward
Carroll L. Cropper	C. C. McMasters	Robert E. Webb
W. J. Curtis	Roy McWaters	J. B. Wicker
Harry Davis	J. S. Mattingly	B. M. Williams
R. A. Demunbrun	L. B. Meadors	

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Mr. Coughlin offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 463 by striking out the entire title after the words "an Act" and inserting the following "defining the amount of annual income for any year for any County, City, Town, Municipality or Taxing District, as being the amount actually levied and collected."

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Coughlin moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

S. B. 312. An Act to amend and re-enact Sections 3953a-1 and 3953a-4, Kentucky Statutes, 1930 Edition, relating to Superintendent of Public Printing and the Assistant Superintendent of Public Printing.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3953a-1, Kentucky Statutes, 1930 Edition, be amended and re-enacted by striking therefrom the following language:

"And at the same time the board of printing commissioners appoints the Superintendent of Public Printing under the provisions of this chapter, they shall also appoint an Assist-

ant Superintendent of Public Printing who shall possess the same qualifications as required of the Superintendent of Public Printing who shall assist the said Superintendent in the discharge of his duties and who in the absence of the Superintendent shall perform the duties imposed upon the Superintendent under the provisions of this chapter. When this amendment becomes effective the board of printing commissioners shall appoint an Assistant Superintendent of Printing to serve until the time for appointment of a successor to the present Superintendent of Public Printing, who shall perform the duties and receive the compensation provided for such Assistant Superintendent herein."

So that when said language is stricken from said section and same is amended and re-enacted it shall read as follows:

"The board of printing commissioners shall on the first day of June, one thousand nine hundred and six, appoint as superintendent of public printing, for a term of four years, a practical printer or a practical estimator of printing, who has had not less than ten years' experience in typesetting, estimating the cost of plain, job, rule, tabular and machine composition; press work, both cylinder and platen, book binding in its various branches, paper, etc., and such other materials as are used in the performance of the state printing contract; and who at the time of accepting such appointment is not connected, as owner, manager, or stockholder, with any firm, individual or corporation which is engaged in the business of printing in this or another state.

§ 2. That Section 3953a-4, Kentucky Statutes, 1930 Edition, be amended and re-enacted by striking therefrom the following language:

"And the assistant superintendent of printing shall receive as compensation for the performance of his duties, as set out in this chapter, the sum of eighteen hundred dollars ($1,800.00) payable monthly out of the state treasury."

So that when the section is amended and re-enacted and said language is stricken therefrom it shall read as follows;

"The superintendent of public printing shall receive as compensation for the performance of his duties as herein set out and such other duties as may be assigned to him by the board of printing commissioners, within the meaning of this act, the sum of twenty-four hundred dollars ($2,400.00) per annum, payable monthly out of the state treasury."

§ 3. All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provisian as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	D. B. Coughlin	Dr. A. L. Hill
Carroll D. Asbury	Joel T. Crenshaw	John R. Hobbs
Levi Baker	Carroll L. Cropper	G. W. Howard
Harold L. Barnes	G. Cunningham	Ira W. Hulette
Marshall Barnes	W. J. Curtis	G. C. Johnson
Robert E. Beatty	Harry Davis	J. H. King
B. F. Bedford	R. A. Demunbrun	John Kirtley
Wm. B. Belknap	S. S. Dickson	W. L. Knuckles, Jr.
Reuben J. Boling	Garland Embry	Alden L. Love
O. J. Bowen	Rudy Ferguson	Herschel McKinley
Corbett Brown	T. P. Fitzpatrick	C. C. McMasters
Wallace Brown	Kelly J. Francis	Roy McWaters
Frank C. Bruton	Ralph Gilbert	C. C. May
Hugh K. Bullitt	Ferd A. Gnau	J. S. Mattingly
J. A. Coleman	Frank Harris	L. B. Meadors
Sidney J. Collins	J. Joseph Hettinger	G. Samuel Milam

Clarence Miller	Kleber F. Price	Elmore J. Thomas
H. H. Miller	G. M. Pritchett	J. Sterling Towles
Rodes K. Myers	W. P. Renfro	Starling B. Tracy
Richard H. Nufer	Avery Sartin	Henry T. Ward
James I. Peters	Mrs. M. B. Scott	Robert E. Webb
M. D. Phelps	Lafe J. Spencer	J. B. Wicker
Steve Pieratt	Lyle C. Tackett	B. M. Williams

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There voted in the negative—

John W. Taylor —1

Resolved that the title thereof be as aforesaid.

Mr. Kirtley moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 601. An Act providing for the payment of ad valorem property taxes of fourth class cities, in two equal installments, due as follows: July first and December first; providing that the second installment shall be deemed due and payable as of the same day as the first installment in case the first installment is not paid within thirty days after its due date; providing that all taxes shall be deemed delinquent if not paid on or before the first day of December following their due dates; prescribing penalties for delinquency; providing for part payment of taxes before or after their due dates and discount on taxes paid before they become due.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. The City Council, Commissioners or other governing bodies of fourth class cities may prescribe, by ordinance, duly enacted, on or before July first of any year, as follows, to-wit: All annual city taxes on all property subject to general levies for annual ad valorem taxation shall be due and payable in two equal installments. The first one-half of such taxes shall be due and payable on the first day of July after the assessment; the second one-half on the first day of December next succeeding; provided that, if the first such installment of such taxes is not paid on or before the first day of August, both installments shall be deemed to have become due and payable on the said first day of July. The amount of all taxes remaining unpaid on the first day of the month following that in which they have become due and payable, shall be deemed delinquent, and such taxes shall bear interest at the rate of six per cent (6%) per annum from such due date until paid, and a penalty of six per centum (6%) additional on the taxes so delinquent shall be paid, provided that, if all installments shall be paid in full on or before the first day of December, such penalty shall not apply. Any taxpayer may pay, and the Collector is hereby authorized and required to receive, at any time, any amount in even dollars, to be applied in part payment of the taxes of such taxpayer that may be due and payable, or as advance payment on account of such taxes to become due and payable. A discount of six per cent (6%) per annum shall be allowed on all amounts of taxes so prepaid, for the time from the date of such payment until the date when such taxes would otherwise become due and payable.

§ 2. All laws or parts of laws inconsistent with this act shall not apply where the Board of Commissioners or other governing bodies of any city of the fourth class, shall have by ordinance given effect to the provisions of this act.

§ 3. This act shall take effect on the first day of July, 1934.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Rudy Ferguson	L. B. Meadors
Carroll D. Asbury	T. P. Fitzpatrick	G. Samuel Milam
Levi Baker	Kelly J. Francis	Clarence Miller
Harold L. Barnes	W. J. Garnett	Richard H. Nufer
Marshall Barnes	Ferd A. Gnau	James I. Peters
B. F. Bedford	J. S. Hall	M. D. Phelps
Wm. B. Belknap	Frank Harris	Kleber F. Price
O. J. Bowen	R. M. Harrison, Jr.	G. M. Pritchett
Wallace Brown	J. Joseph Hettinger	Waylon Rayburn
Hugh K. Bullitt	Dr. A. L. Hill	W. P. Renfro
Mrs. Cecil Cantrill	John R. Hobbs	Jos. W. Schneider
Charles Chandler	Ira W. Hulette	Mrs. M. B. Scott
J. A. Coleman	G. C. Johnson	Lafe J. Spencer
Sidney J. Collins	F. P. Kessee	Lyle C. Tackett
D. B. Coughlin	John Kirtley	Elmore J. Thomas
Joel T. Crenshaw	W. L. Knuckles, Jr.	J. Sterling Towles
Carroll L. Cropper	Glenn W. Lane	Starling B. Tracy
W. J. Curtis	Alden L. Love	Henry T. Ward
Harry Davis	Herschel McKinley	Robert E. Webb
R. A. Demunbrun	C. C. McMasters	J. B. Wicker
S. S. Dickson	Roy McWaters	B. M. Williams
Garland Embry	C. C. May	
Clarence E. Evans	J. S. Mattingly	—67

Those who voted in the negative were—

Steve Pieratt	John W. Taylor	—2

Resolved that the title thereof be as aforesaid.

Mr. Tracey moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 201. An Act to repeal subsections two, three, four and five of Section 1905a-60 of Carroll's Kentucky Statutes, 1930 Edition, being sections two, three, four and five of Chapter 158 of the Acts of the General Assembly of 1926 and to amend subsection six of Section 1905a-60 of Carroll's Kentucky Statutes, 1930 Edition, and being Chapter 158 of the Acts of the 1926, General Assembly, relating to the sale of eggs unfit for human food and to fix penalties for violation of the provisions thereof.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

(1) That subsections two, three, four and five of Section 1905a-60 of Carroll's Kentucky Statutes, 1930 Edition and being sections two, three, four and five of Chapter 158 of the acts of the General Assembly of 1926, be, and the same are, hereby repealed.

(2) That subsection six of Section 1905a-60 of Carroll's Kentucky Statutes, 1930 Edition, same being section six of Chapter 158 of the acts of the General Assembly of 1926, be amended and re-enacted so that said section as amended and re-enacted will read as follows:

"Any person, firm, or corporation violating the provisions of subsection one of Section 1905a-60, Carroll's Ken-

tucky Statutes, 1930 Edition, the same being section of Chapter 158 of the acts of the General Assembly of 1926, shall be guilty of a misdemeanor, and shall, upon conviction, be fined not less than $10.00 nor more than $50.00 for the first offense and not less than $25.00 nor more than $50.00 for each subsequent offense."

Mr. Webb offered the following amendment to said bill, viz.:

Amend H. B. 201 by striking from the printed copy of the following Sections 1 and 2, on pages 1 and 2, and each and every word thereof, and substitute in lieu thereof the following:

"That subsection 4 of Section 1905a-60 of Carroll's Kentucky Statutes, 1930 Edition, and being Section 4 of Chapter 158 of the Acts of the General Assembly of 1926 be, and the same is hereby repealed, amended, and re-enacted so that said section as re-enacted will read as follows:

Thirty days after this act takes effect, and on or before the first day of April annually thereafter no person, firm or corporation shall engage in the business of buying, selling, dealing in or trading in eggs, in lots of one carload or more, without first obtaining from the state board of health a certificate to conduct such business. Said board, upon receipt of a proper application upon forms such as may be prescribed, accompanied by a fee of ten dollars ($10.00), shall thereupon issue to such persons, firms or corporations that shall engage in the business of buying, selling, dealing in or trading in eggs in lots of one carload or more, an annual certificate to engage in such business. All such certificates shall expire at the close of business on March 31st of each year. All fees collected under this act shall be paid into the state treasury and kept as a separate fund and used for paying the expenses of the administration and enforcement of this act and shall

be accounted for as required by law for other funds and expenses of the board."

Mr. Rankin moved that said amendment be laid on the table.

Said motion was disagreed to.

Said amendment was then agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with and the same being engrossed, said bill was read the third time by its title only, and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Joel T. Crenshaw	J. H. King
Carroll D. Asbury	Harry Davis	John Kirtley
Levi Baker	R. A. Demunbrun	W. L. Knuckles, Jr.
Harold L. Barnes	S. S. Dickson	Glenn W. Lane
Marshall Barnes	George Dunlap	M. T. McCarthy
B. F. Bedford	Garland Embry	Herschel McKinley
Wm. B. Belknap	Rudy Ferguson	C. C. McMasters
Reuben J. Boling	Kelly J. Francis	Roy McWaters
O. J. Bowen	W. J. Garnett	J. S. Mattingly
Wallace Brown	Ralph Gilbert	G. Samuel Milam
Frank C. Bruton	W. Yancey Handy	H. H. Miller
Hugh K. Bullitt	Frank Harris	Steve Pieratt
Mrs. Cecil Cantrill	G. W. Howard	Kleber F. Price
J. A. Coleman	Ira W. Hulette	G. M. Pritchett
D. B. Coughlin	G. C. Johnson	Waylon Rayburn

W. P. Renfro	Lyle C. Tackett	Henry T. Ward
L. D. Sandlin	Elmore J. Thomas	Robert E. Webb
Avery Sartin	Harry B. Thornton	J. B. Wicker
Mrs. M. B. Scott	Starling B. Tracy	B. M. Williams

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Those who voted in the negative were—

Robert E. Beatty	John R. Hobbs	James I. Peters
Corbett Brown	George R. McIntosh	M. D. Phelps
Charles Chandler	C. C. May	Pat Rankin
Sidney J. Collins	L. B. Meadors	Jos. W. Schneider
G. Cunningham	Clarence Miller	J. Sterling Towles
T. P. Fitzpatrick	Tyler Munford	
Ferd A. Gnau	Richard H. Nufer	

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Mr. Webb offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 201 by striking from the printed copy of the bill the title beginning with the words "an Act" each and every word through and including the words "provisions thereof" and inserting in lieu thereof the following: "Act Act to repeal, amend and re-enact subsection 4 of Section 1905a-60 of Carroll's Kentucky Statutes, 1930 Edition, being Section 4 of Chapter 158 of the Acts of the General Assembly of 1926."

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Webb moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 654. An Act to amend and re-enact Section 3766d-2, Kentucky Statutes, 1930 Edition, pertaining to Kentucky State Parks.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Section 3766d-2, Kentucky Statutes, 1930 Edition, be amended and re-enacted so that when amended and re-enacted, it shall read as follows:

"Said Commission shall be composed of four (4) members, viz.: (1) The Governor of the Commonwealth of Kentucky, who shall be *ex officio* chairman of the Commission by this act created; (2) the Dean of the Agricultural College of the University of Kentucky; (3) two persons who shall be appointed by the Governor of the Commonwealth of Kentucky and who shall be over thirty (30) years of age and be a citizen of Kentucky at the time of their appointment and during all the time that they shall be members of the Commission hereby created. Said members so appointed by the Governor of the State of Kentucky shall hold their office as members of the Commission hereby created subject to the will of the Governor of the Commonwealth of Kentucky, and the Governor of the Commonwealth of Kentucky may remove them or either of them at any time at the Governor's will.

§ 2. Whereas, it is of vital importance to the people of the Commonwealth that the State Park System be immediately improved and exploited; and,

Whereas, under certain Federal laws, recently passed, it is possible to obtain funds for the purpose of said improvement, an emergency is declared to exist and this law shall be effective upon its passage and approval by the Governor.

§ 3. All acts or parts of acts in conflict herewith are hereby repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Clarence E. Evans	Roy McWaters
Carroll D. Asbury	Rudy Ferguson	C. C. May
Levi Baker	Kelly J. Francis	J. S. Mattingly
Harold L. Barnes	W. J. Garnett	G. Samuel Milam
Marshall Barnes	Ralph Gilbert	Clarence Miller
Robert E. Beatty	Ferd A. Gnau	H. H. Miller
B. F. Bedford	J. S. Hall	M. D. Phelps
Wm. B. Belknap	W. Yancey Handy	Steve Pieratt
Reuben J. Boling	Frank Harris	Kleber F. Price
O. J. Bowen	R. M. Harrison, Jr.	G. M. Pritchett
Corbett Brown	J. Joseph Hettinger	Waylon Rayburn
Wallace Brown	Dr. A. L. Hill	W. P. Renfro
Frank C. Bruton	John R. Hobbs	L. D. Sandlin
Hugh K. Bullitt	Ira W. Hulette	Jos. W. Schneider
Mrs. Cecil Cantrill	G. C. Johnson	Mrs. M. B. Scott
J. A. Coleman	F. P. Kessee	Lyle C. Tackett
Sidney J. Collins	J. H. King	Elmore J. Thomas
D. B. Coughlin	Leo King	Harry B. Thornton
Joel T. Crenshaw	John Kirtley	J. Sterling Towles
Carroll L. Cropper	W. L. Knuckles, Jr.	Starling B. Tracy
W. J. Curtis	Glenn W. Lane	Robert E. Webb
Harry Davis	Alden L. Love	J. B. Wicker
R. A. Demunbrun	George R. McIntosh	B. M. Williams
George Dunlap	Herschel McKinley	
Garland Embry	C. C. McMasters	—73

There voted in the negative—

Charles Chandler —1

Resolved that the title thereof be as aforesaid.

Mr. Curtis moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 299. An Act prohibiting associations, companies, persons and corporations engaged in the service of utilities, as herein defined, from collecting service charges and minimum charges for their products and providing a penalty for violation of this act.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonmealth of Kentucky:

§ 1. It shall be unlawful for any association, company, corporation or person engaged in the business of furnishing, selling or disposing of electricity, gas or water in this Commonwealth to collect a service charge of the consumer or a minimum rate and either one of them in person or by agent, representative or servant, who collects from the consumer for electricity, gas or water, for service charges; that is, for services not rendered or minimum charges for either substance without furnishing the same to the customer.

§ 2. Any association, company, corporation, person, agent, representative or servant thereof, who violates Section One hereof shall be fined in any sum not less than Ten Dollars ($10.00) or more than One Hundred Dollars ($100.00) for each offense, and each monthly collection shall be deemed a separate offense.

§ 3. All laws and parts of laws in conflict herewith are hereby repealed.

Mr. H. L. Barnes offered the following amendment to said bill, viz.:

Amend H. B. 299 by striking from line 4, Section 1 "or a minimum rate and either one of them" so that it shall read "to collect a service charge of the consumer in person or by agent."

Said amendment was disagreed to.

Mr. Milam offered the following amendment to said bill, viz.:

Amend H. B. 299 by adding at the end of paragraph 1, of page 1 of the printed bill the following words: "Provided, however, that the provisions of this act shall not apply in regard to any consumer, or customer who does not own real estate."

Said amendment was disagreed to.

Mr. Beatty offered the following amendment to said bill, viz.:

Amend H. B. 299 by adding at the end of paragraph 1, on page 1 of the printed bill at the end of line 8, the following:

"Provided, however, that the requirements of this section shall not apply in the event it affects the rate of any municipality or community using electricity, gas or water."

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Garland Embry	J. S. Mattingly
Levi Baker	Rudy Ferguson	L. B. Meadors
Harold L. Barnes	T. P. Fitzpatrick	H. H. Miller
Marshall Barnes	Kelly J. Francis	James I. Peters
B. F. Bedford	W. J. Garnett	M. D. Phelps
Wm. B. Belknap	J. S. Hall	Steve Pieratt
Reuben J. Boling	Judson Harmon	G. M. Pritchett
O. J. Bowen	Frank Harris	Pat Rankin
Jas. C. Bright	John R. Hobbs	Waylon Rayburn
Corbett Brown	Ira W. Hulette	Avery Sartin
Wallace Brown	G. C. Johnson	Jos. W. Schneider
Frank C. Bruton	J. H. King	Mrs. M. B. Scott
Hugh K. Bullitt	John Kirtley	Lyle C. Tackett
J. A. Coleman	W. L. Knuckles, Jr.	Harry B. Thornton
Sidney J. Collins	Glenn W. Lane	J. Sterling Towles
D. B. Coughlin	Alden L. Love	Starling B. Tracy
Joel T. Crenshaw	M. T. McCarthy	Henry T. Ward
W. J. Curtis	George R. McIntosh	Robert E. Webb
Harry Davis	Herschel McKinley	J. B. Wicker
R. A. Demunbrun	C. C. McMasters	B. M. Williams
S. S. Dickson	Roy McWaters	
George Dunlap	C. C. May	—64

Those who voted in the negative were—

Carroll D. Asbury	Ferd A. Gnau	Kleber F. Price
Robert E. Beatty	Dr. A. L. Hill	L. D. Sandlin
Charles Chandler	F. P. Kessee	Harry Sparks
L. J. Gammon	G. Samuel Milam	
Ralph Gilbert	Tyler Munford	—13

Resolved that the title thereof be as aforesaid.

Mr. H. L. Barnes moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in that body, entitled:

S. B. 346. An Act relating to higher education for colored persons.

Ordered that said bill be printed and referred to the Committee on Rules.

Dr. Hill of the Committee on Rules, moved that the House do now take up for consideration, a bill entitled:

H. B. 45. An Act to amend and re-enact Sec. 4019, Kentucky Statutes, Baldwin's Revision of Carroll's 1930 Edition, relating to revenue and taxation, etc.

Which was reported to this House on to-day, from the Senate.

With an amendment thereto by way of Substitute therefor, as proposed by the Senate.

(For bill see House Journal of February 15.)

Said amendment by way of Substitute, as proposed by the Senate, is as follows, viz.:

Substitute for H. B. 45 in Senate. An Act amending and re-enacting Section 4019, Kentucky Statutes, Carroll's 1930 Edition, Baldwin's Revision, 1933 Supplement.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Section 4019, Kentucky Statutes, Carroll's 1930 Edition, Baldwin's Revision, 1933 Supplement, be amended by repealing said section in its entirety and re-enacting it to read as follows:

An annual ad valorem tax for state purposes of five cents (5c) upon each one hundred dollars ($100.00) of value of all real estate directed to be assessed for taxation, as provided by law and fifty cents upon each one hundred dollars ($100.00) of value of all other property directed to be assessed for taxation, as provided by law, shall be paid by the owner, person or corporation assessed; except a tax at the rate of one-tenth of one per cent (.1%) shall be paid annually upon the amount of deposits in any bank, trust company, or combined bank and trust company, organized under the laws of this State, or in any national bank of this State, as now provided by law; and also including building and loan associations incorporated under the laws of this State, and making loans to members only, which association shall be assessed except as otherwise provided by law in the manner and at the rate now set forth in Chapter 14 of the Acts of the Extraordinary Session of the General Assembly of 1917 (Sections 4019a-6, 4019a-7 and 4019a-8).

The aggregate amount of taxes realized under this Act shall be paid into the State Treasury and credited to the General Fund to be distributed and applied as may be provided by law.

All acts and parts of acts in conflict herewith to the extent of such conflict hereby are repealed.

Mr. Gilbert moved that the House do now concur in said Substitute.

Said motion was disagreed to.

The yeas and nays being required thereon by Messrs. Gilbert and Gnau, were as follows, viz.:

Those who voted in the affirmative were—

Robert E. Beatty	Ralph Gilbert	George R. McIntosh
Wm. B. Belknap	Ferd A. Gnau	Roy McWaters
O. J. Bowen	W. Yancey Handy	C. C. May
Hugh K. Bullitt	J. Joseph Hettinger	G. Samuel Milam
D. B. Coughlin	Dr. A. L. Hill	Tyler Munford
Carroll L. Cropper	Leo King	Rodes K. Myers
Rudy Ferguson	Glenn W. Lane	Waylon Rayburn
W. J. Garnett	M. T. McCarthy	J. Sterling Towles

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Those who voted in the negative were—

Henry H. Allen	Garland Embry	Steve Pieratt
Carroll D. Asbury	Clarence E. Evans	Kleber F. Price
Levi Baker	T. P. Fitzpatrick	G. M. Pritchett
Harold L. Barnes	Kelly J. Francis	Pat Rankin
Marshall Barnes	L. J. Gammon	W. P. Renfro
B. F. Bedford	J. S. Hall	L. D. Sandlin
Reuben J. Boling	Judson Harmon	Avery Sartin
Jas. C. Bright	Frank Harris	Jos. W. Schneider
Corbett Brown	Ira W. Hulette	Mrs. M. B. Scott
Wallace Brown	G. C. Johnson	Harry Sparks
Frank C. Bruton	J. H. King	Lyle C. Tackett
Charles Chandler	W. L. Knuckles, Jr.	John W. Taylor
J. A. Coleman	Herschel McKinley	Elmore J. Thomas
Sidney J. Collins	J. S. Mattingly	Harry B. Thornton
Joel T. Crenshaw	L. B. Meadors	Starling B. Tracy
W. J. Curtis	Clarence Miller	Henry T. Ward
Harry Davis	H. H. Miller	Robert E. Webb
S. S. Dickson	James I. Peters	J. B. Wicker
George Dunlap	M. D. Phelps	B. M. Williams

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And so the House refused to concur in said Substitute.

Ordered that the Chief Clerk of this House report the action of this House to the Senate.

Without objection and at the instance of the Committee on Rules, the following bills were introduced, viz.:

By Mr. Hobbs:

H. B. 885. An Act relating to the Primary System of Roads and Highways.

H. B. 886. An Act relating to the Primary System of Roads and Highways.

Ordered that said bills be printed and referred to the Committee on Rules.

After a time and at the instance of the Committee on Rules, the following bills were reported, viz.:

H. B. 885. An Act relating to the Primary System of Roads and Highways.

H. B. 886. An Act relating to the Primary System of Roads and Highways.

With the expression of opinion that said bills ought to pass.

Said bills were read at length the first time and ordered to be placed on the Calendar.

Dr. Hill moved that the House do now adjourn.

Said motion was agreed to.

And then the House adjourned.

FRIDAY, MARCH 9, 1934.

The House was opened with prayer by the Reverend Olaf Anderson of the Presbyterian Church, South, of Frankfort, Kentucky.

The roll was called and the following members answered to their names, viz.:

Henry H. Allen	J. B. Floyd	L. B. Meadors
Carroll D. Asbury	Kelly J. Francis	G. Samuel Milam
Levi Baker	W. J. Garnett	Clarence Miller
Harold L. Barnes	Ralph Gilbert	H. H. Miller
Marshall Barnes	Ferd A. Gnau	W. H. Miller
Robert E. Beatty	C. Gottschalk	James B. Milliken
B. F. Bedford	J. S. Hall	Tyler Munford
Wm. B. Belknap	W. Yancey Handy	Rodes K. Myers
Reuben J. Boling	Judson Harmon	M. D. Phelps
O. J. Bowen	Frank Harris	Steve Pieratt
Jas. C. Bright	R. M. Harrison, Jr.	Kleber F. Price
Corbett Brown	J. Joseph Hettinger	G. M. Pritchett
Wallace Brown	Dr. A. L. Hill	Pat Rankin
Frank C. Bruton	John R. Hobbs	Waylon Rayburn
Hugh K. Bullitt	G. W. Howard	W. P. Renfro
Mrs. Cecil Cantrill	Ira W. Hulette	L. D. Sandlin
Charles Chandler	G. C. Johnson	Avery Sartin
J. A. Coleman	T. M. Johnson	Jos. W. Schneider
Sidney J. Collins	J. H. King	Mrs. M. B. Scott
D. B. Coughlin	Leo King	Harry Sparks
Joel T. Crenshaw	John Kirtley	Lafe J. Spencer
Carroll L. Cropper	W. L. Knuckles, Jr.	Lyle C. Tackett
G. Cunningham	Glenn W. Lane	John W. Taylor
W. J. Curtis	Alden L. Love	Harry B. Thornton
Harry Davis	M. T. McCarthy	J. Sterling Towles
R. A. Demunbrun	George R. McIntosh	Starling B. Tracy
S. S. Dickson	Herschel McKinley	Henry T. Ward
George Dunlap	C. C. McMasters	Robert E. Webb
Garland Embry	Roy McWaters	J. B. Wicker
Clarence E. Evans	C. C. May	W. E. Rogers, Spr.
Rudy Ferguson	J. S. Mattingly	

Mr. Rayburn moved that the reading of the Journal of yesterday's proceedings be dispensed with.

Said motion was agreed to.

Mr. Levi Baker moved that the privilege of the floor be extended to Miss Long and Mr. Drake of Sharonville, Ohio.

Said motion was agreed to.

Mr. Ferguson moved that the privilege of the floor be extended to Messrs. R. I. Coke of Ballard county and L. C. Ferguson of Henderson county.

Said motion was agreed to.

Mr. Knuckles moved that the privilege of the floor be extended to G. M. Knuckles and J. F. Knuckles of Bell county.

Said motion was agreed to.

Mr. May moved that the privilege of the floor be extended to Mr. G. W. Leslie and Miss Elizabeth Leslie.

Said motion was agreed to.

Mr. Milam moved that the privilege of the floor be extended to Misses Lillian Clark Rhea and Barbara Perry, and Mr. A. G. Rhea.

Said motion was agreed to.

Mr. Leo King offered the following resolution, viz.:

H. Res. 77. Resolution designating the bridge across the Ohio river at Henderson as the "Memorial Bridge."

Said resolution is as follows, viz.:

A CONCURRENT RESOLUTION declaring the name of the bridge across the Ohio River in Henderson County to be the "Memorial Bridge" dedicated to the memory of John James Audubon.

WHEREAS, The State of Indiana through its legislature has resolved that the highway bridge across the Ohio River between Evansville, Indiana, and Henderson, Kentucky, shall be named in memory of John James Audubon, world-famed ornithologist; and,

Whereas, This action is especially appropriate and fitting because the region on both sides of the Ohio River surrounding the site of the new bridge was the scene of Audubon's principal work, from which he gained his greatest fame, and includes ground which he once owned, and which he roamed in his study of the bird life of that section and in quest of rare specimens during the years of 1810 to 1820; and,

Whereas, It has been suggested that in due course the lowlands on each side of the river be established as a federal bird sanctuary as a further memorial to Audubon, since this was the region in which he worked, and since the land is admirably suited for this purpose; and,

Whereas, Kentucky has not before suitably recognized their obligation to the memory of this great man although the Federal Government has commemorated his deeds by naming the snow-capped peaks in Boulder County, Colorado, Mt. Audubon; the city of New Orleans has named its largest park, Audubon Park; a beautiful monument has been erected in Trinity Church, New York, and a bust of his likeness was one of the first to be placed in the Hall of Fame; and,

Whereas, It will be to the great advantage of these states, the immediate surrounding community at this point, and the bridge project itself, to dedicate this bridge to the memory of John James Audubon: Therefore,

Be it Resolved by the House of Representatives of the General Assembly of the State of Kentucky, the Senate concurring:

That the General Assembly of the State of Kentucky hereby declares the highway bridge crossing the Ohio River in Henderson County, Kentucky, shall be known as the "Audubon Memorial Bridge," and directs that officials and employees of the State shall take whatever steps are necessary to establish such name for said bridge.

Said resolution was adopted.

Mr. Allen moved that the vote by which the House refused to concur in an amendment by way of Substitute, as proposed by the Senate to House Bill 45, which originated in this House, be reconsidered.

Said motion was agreed to.

The yeas and nays being required thereon by Messrs. Wallace Brown and Evans were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	G. Cunningham	R. M. Harrison, Jr.
Harold L. Barnes	W. J. Curtis	J. Joseph Hettinger
Robert E. Beatty	Harry Davis	Dr. A. L. Hill
B. F. Bedford	R. A. Demunbrun	John R. Hobbs
Wm. B. Belknap	Garland Embry	G. W. Howard
Reuben J. Boling	Rudy Ferguson	T. M. Johnson
O. J. Bowen	W. J. Garnett	J. H. King
Jas. C. Bright	Ralph Gilbert	Leo King
Frank C. Bruton	Ferd A. Gnau	W. L. Knuckles, Jr.
Hugh K. Bullitt	C. Gottschalk	Glenn W. Lane
Mrs. Cecil Cantrill	J. S. Hall	Alden L. Love
Charles Chandler	W. Yancey Handy	M. T. McCarthy
Carroll L. Cropper	Judson Harmon	George R. McIntosh

C. C. McMasters	Rodes K. Myers	John W. Taylor
Roy McWaters	M. D. Phelps	Harry B. Thornton
C. C. May	Waylon Rayburn	J. Sterling Towles
L. B. Meadors	L. D. Sandlin	Starling B. Tracy
G. Samuel Milam	Avery Sartin	Robert E. Webb
Clarence Miller	Lafe J. Spencer	
Tyler Munford	Lyle C. Tackett	—56

Those who voted in the negative were—

Carroll D. Asbury	J. B. Floyd	Steve Pieratt
Levi Baker	Kelly J. Francis	Kleber F. Price
Marshall Barnes	Frank Harris	G. M. Pritchett
Corbett Brown	Ira W. Hulette	Pat Rankin
Wallace Brown	G. C. Johnson	W. P. Renfro
J. A. Coleman	John Kirtley	Jos. W. Schneider
Sidney J. Collins	Herschel McKinley	Harry Sparks
Joel T. Crenshaw	J. S. Mattingly	Henry T. Ward
S. S. Dickson	H. H. Miller	J. B. Wicker
George Dunlap	W. H. Miller	
Clarence E. Evans	James B. Milliken	—31

(For bill see House Journal of February 15.)

(For Substitute as offered by the Senate, see House Journal of yesterday.)

Thereafter such reconsideration, Dr. Hill moved that the House do now concur in the amendment by way of Substitute, as proposed by the Senate.

Dr. Hill moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Said Substitute, as proposed by the Senate, was then concurred in.

The yeas and nays being taken thereon, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	C. Gottschalk	Roy McWaters
Harold L. Barnes	J. S. Hall	C. C. May
Robert E. Beatty	W. Yancey Handy	L. B. Meadors
B. F. Bedford	Judson Harmon	G. Samuel Milam
Wm. B. Belknap	R. M. Harrison, Jr.	Clarence Miller
Reuben J. Boling	J. Joseph Hettinger	Tyler Munford
O. J. Bowen	Dr. A. L. Hill	Rodes K. Myers
Jas. C. Bright	John R. Hobbs	Richard H. Nufer
Frank C. Bruton	G. W. Howard	Robert A. Persky
Hugh K. Bullitt	Ira W. Hulette	M. D. Phelps
Mrs. Cecil Cantrill	G. C. Johnson	Kleber F. Price
Charles Chandler	T. M. Johnson	Waylon Rayburn
Carroll L. Cropper	F. P. Kessee	L. D. Sandlin
G. Cunningham	J. H. King	Avery Sartin
W. J. Curtis	Leo King	Mrs. M. B. Scott
R. A. Demunbrun	John Kirtley	Harry Sparks
Garland Embry	W. L. Knuckles, Jr.	Lafe J. Spencer
Rudy Ferguson	Glenn W. Lane	John W. Taylor
J. B. Floyd	Alden L. Love	Harry B. Thornton
W. J. Garnett	M. T. McCarthy	J. Sterling Towles
Ralph Gilbert	George R. McIntosh	Starling B. Tracy
Ferd A. Gnau	C. C. McMasters	Robert E. Webb

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Those who voted in the negative were—

Carroll D. Asbury	Sidney J. Collins	L. J. Gammon
Levi Baker	Joel T. Crenshaw	Frank Harris
Marshall Barnes	S. S. Dickson	Herschel McKinley
Corbett Brown	George Dunlap	J. S. Mattingly
Wallace Brown	Clarence E. Evans	H. H. Miller
J. A. Coleman	Kelly J. Francis	W. H. Miller

James B. Milliken	W. P. Renfro	J. B. Wicker
Steve Pieratt	Jos. W. Schneider	B. M. Williams
G. M. Pritchett	Lyle C. Tackett	
Pat Rankin	Henry T. Ward	—28

Said bill was then passed, as amended.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Kelly J. Francis	C. C. May
Carroll D. Asbury	L. J. Gammon	L. B. Meadors
Harold L. Barnes	W. J. Garnett	G. Samuel Milam
Robert E. Beatty	Ralph Gilbert	Clarence Miller
B. F. Bedford	Ferd A. Gnau	Tyler Munford
Wm. B. Belknap	C. Gottschalk	Rodes K. Myers
Reuben J. Boling	J. S. Hall	Richard H. Nufer
O. J. Bowen	W. Yancey Handy	Robert A. Persky
Jas. C. Bright	Judson Harmon	James I. Peters
Corbett Brown	J. Joseph Hettinger	M. D. Phelps
Wallace Brown	Dr. A. L. Hill	Steve Pieratt
Frank C. Bruton	John R. Hobbs	Kleber F. Price
Hugh K. Bullitt	Ira W. Hulette	G. M. Pritchett
Mrs. Cecil Cantrill	G. C. Johnson	Pat Rankin
Charles Chandler	T. M. Johnson	Waylon Rayburn
J. A. Coleman	F. P. Kessee	W. P. Renfro
Joel T. Crenshaw	J. H. King	L. D. Sandlin
Carroll L. Cropper	Leo King	Avery Sartin
W. J. Curtis	John Kirtley	Mrs. M. B. Scott
Harry Davis	W. L. Knuckles, Jr.	Harry Sparks
R. A. Demunbrun	Glenn W. Lane	Lafe J. Spencer
S. S. Dickson	Alden L. Love	Lyle C. Tackett
George Dunlap	M. T. McCarthy	J. Sterling Towles
Garland Embry	George R. McIntosh	Starling B. Tracy
Clarence E. Evans	Herschel McKinley	Robert E. Webb
Rudy Ferguson	C. C. McMasters	J. B. Wicker
J. B. Floyd	Roy McWaters	—80

Those who voted in the negative were—

Sidney J. Collins	James B. Milliken	Henry T. Ward
H. H. Miller	Jos. W. Schneider	
W. H. Miller	John W. Taylor	—7

Mr. Beatty moved that said bill be known as "The Gilbert-Gaines Measure."

Said motion was agreed to.

Dr. Hill moved that the vote by which the House passed said bill, as amended, be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

Ordered that said bill be delivered to the Enrolling Clerk of this House.

Dr. Hill moved that the session of to-day be extended indefinitely.

Said motion was agreed to.

The hour of twelve o'clock Meridian, having arrived, Dr. Hill moved that the House do now recess until one-thirty o'clock P. M.

Said motion was agreed to.

And then the House recessed.

AFTERNOON SESSION

The hour of one-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 655. An Act making it lawful to take certain varieties of fish from streams in this State by the construction, erection and operation of fish traps; providing regulations thereof by the Game and Fish Commission; providing a license upon fish traps; distributing the funds; fixing duty of county clerks; and providing penalties.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That it shall be lawful for any person or persons to take and catch fish by the construction and operation of fish traps from the streams of this Commonwealth as hereinafter set forth.

§ 2. That before any person or persons shall construct or operate such fish trap they shall make written application to the Game and Fish Commission setting forth the name or names of the person or persons interested in the construction and operation of such fish trap; the address of each; and the stream and location therein of such fish trap. If the said Commission approves such application, it shall approve same in writing, in triplicate; one copy thereof shall be retained by said commission, one copy to be mailed to the county clerk of the county where such fish trap is located and filed in the clerk's office, and one copy to the applicant or applicants.

If such application is approved by the Commission it shall be a permit to construct and operate such fish trap.

If said Commission approves such application, it shall fix the license in the permit to be paid by the applicant or applicants according to location and other surroundings to be considered, at not less than forty dollars ($40.00) nor more than one hundred dollars ($100.00) per annum for each fish trap constructed and operated.

§ 3. Any time that such fish trap is not constructed and operated according to the approval of the Game and Fish Commission it shall cancel such permit, and it or its authorized agents are hereby authorized to require the owners thereof to remove such fish trap from the stream in which located, and if such owner or owners refuse for thirty days to obey such order of the Commission, they and each of them shall be subject to arrest and a fine of one hundred dollars ($100) and a like sum for each thirty days thereafter they or each of them refuse to remove such fish trap.

§ 4. It shall be unlawful for any person or persons to construct or operate or possess any fish trap unless such person or persons shall have procured a permit from the Game and Fish Commission, and a license therefor and a metal tag to be at all times attached to such fish trap. When the owner or owners obtained such license it shall entitle each of them to a license to fish, as now provided by law, without further expense other than as herein provided.

§ 5. The county court clerk shall issue all fish trap licenses and tags to each person or persons complying with the provisions of this Act, after such person or persons have obtained a permit as provided by Section 2 hereof, and shall sign the same, and shall require such person or persons to whom the license and tags are issued to sign his or their name on the margin thereof. He shall keep a correct and complete copy of all licenses so issued in a book now furnished by the Game and Fish Commission, which record shall remain in his office as a public record. The revenue derived under this Act shall be distributed as other fish licenses and as now provided by law.

§ 6. It shall be unlawful for any person or persons to erect, construct or operate a fish trap more than eight (8) feet in width, with slats thereof so spaced that all fish under three-fourths (¾) of a pound in weight will pass through.

The following fish may be caught at any time by such fish trap: spoon-bill, gars, German carp, large cat fish, buffalo

perch, shad and quill backs; but all other fish must be returned to the water unhurt when weighing under one (1) pound; and no other variety of fish, except as herein specifically named, shall be caught or taken in such trap during the month of May of each year.

§ 7. All acts or parts of acts in conflict herewith are hereby repealed to the extent of such conflict.

Mr. Wallace Brown offered the following amendment to said bill, viz.:

Amend H. B. 655 by striking therefrom lines 15 and 16, Section 2 on page 2 of the printed bill, and inserting in lieu thereof the following:

"cation and other surroundings to be considered at not less than twenty-five dollars nor more than one hundred dollars per annum."

Said amendment was agreed to.

Mr. Love moved that said bill be laid on the table.

Said motion was agreed to.

And so said bill was tabled.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 54. Resolution authorizing the administrator of Winfred Hoover to sue the Commonwealth of Kentucky and the Fish and Game Commission, or either or both of them.

Said resolution is as follows, viz.:

Whereas, on the 14th day of June, 1930, Winfred Hoover, of Franklin County, Kentucky, then a boy sixteen years of age, in swimming in Elkhorn Creek, in Franklin County, Ken-

tucky, was accused by one H. E. Lamb, a Deputy Game Warden, of violating the Fish and Game laws of Kentucky, and whilst undressed and in said Creek, was shot and killed by Lamb, the said Lamb claiming to act in the performance of his official duties.

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That the duly appointed and qualified administrator of Winfred Hoover be and he is hereby authorized and permitted to sue the Commonwealth of Kentucky and the Fish and Game Commission, or either or both of them, in the Circuit Court of Franklin County, for such damages as the estate of Winfred Hoover may have suffered, if any, by reason of his injuries and death caused by the carelessness or negligence or unlawful act of the said Lamb. Said suit shall be for any amount, not exceeding the sum of $25,000.00, and in the event any judgment is recovered by said administrator in said suit, or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer and paid out of the general fund.

§ 2. Either party to said suit may appeal from any judgment which may be entered therein as in any other civil suit, and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as any other civil suit.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	Tyler Munford
Carroll D. Asbury	Ralph Gilbert	Rodes K. Myers
Levi Baker	Ferd A. Gnau	Richard H. Nufer
Harold L. Barnes	W. Yancey Handy	James I. Peters
B. F. Bedford	Frank Harris	M. D. Phelps
Reuben J. Boling	R. M. Harrison, Jr.	Steve Pieratt
O. J. Bowen	J. Joseph Hettinger	Kleber F. Price
Jas. C. Bright	John R. Hobbs	Waylon Rayburn
Corbett Brown	Ira W. Hulette	W. P. Renfro
Wallace Brown	G. C. Johnson	Avery Sartin
Hugh K. Bullitt	T. M. Johnson	Jos. W. Schneider
Mrs. Cecil Cantrill	J. H. King	Mrs. M. B. Scott
J. A. Coleman	Leo King	Harry Sparks
Sidney J. Collins	John Kirtley	Lafe J. Spencer
Joel T. Crenshaw	W. L. Knuckles, Jr.	Lyle C. Tackett
Harry Davis	Glenn W. Lane	John W. Taylor
R. A. Demunbrun	Herschel McKinley	Harry B. Thornton
S. S. Dickson	C. C. McMasters	Starling B. Tracy
George Dunlap	C. C. May	Henry T. Ward
Garland Embry	J. S. Mattingly	Robert E. Webb
Clarence E. Evans	L. B. Meadors	J. B. Wicker
Rudy Ferguson	G. Samuel Milam	B. M. Williams
J. B. Floyd	H. H. Miller	
Kelly J. Francis	W. H. Miller	

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There voted in the negative—

Alden L. Love —1

Resolved that the title thereof be as aforesaid.

Mr. Bowen moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 328. An Act proposing an amendment to the Constitution of the Commonwealth of Kentucky pertaining to public offices and providing that all constitutional or other public offices in Kentucky in the executive, judicial and legislative departments, except the offices of Governor, Lieutenant Governor, Judges of the Court of Appeals and members of the General Assembly, may be abolished or consolidated by the General Assembly, and that such other public offices may be created or provided for by said General Assembly as are necessary to the conduct of government; and that the manner of creating and providing for said offices and the manner of their election or appointment, and the submission of said proposed amendment to the voters of the State for their ratification or rejection at the next general election for members of the House of Representatives, provided for herein, and all sections or parts of sections or provisions in conflict herewith are hereby repealed to the extent of such conflict.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That upon concurrence of three-fifths of all the members elected to each house of the General Assembly, the yeas and nays being taken thereon and entered in full in their respective journals, the Constitution of the Commonwealth of Kentucky be amended and that thereby any or all constitutional or other public offices in Kentucky, including State, county, district or other public offices, in the executive, judicial and legislative departments, except the offices of Governor, Lieutenant Governor, Judges of the Court of Appeals and members of the General Assembly, may be abolished or consolidated by the said General Assembly, and that such other public offices may be created or provided for by said

General Assembly as are necessary to the conduct of the said several governments within this State, but no such office shall be created or provided for except by a vote of three-fifths of all the members elected to each house of the General Assembly, the yeas and nays being taken thereon and entered in full in their respective journals. The manner of filling by election or appointment of such office or offices as may be created shall be provided for by the General Assembly.

§ 2. The amendment set forth herein shall be submitted to the voters of the State for their ratification or rejection at the time and in the manner provided for under Sections 256 and 257 of the Constitution of Kentucky, and under Section 1459 of Carroll's 1930 Edition of the Kentucky Statutes.

§ 3. All sections or parts of sections or provisions in conflict herewith are hereby repealed to the extent of such conflict.

Mr. Kirtley offered the following amendment to said bill, viz.:

Amend H. B. 328, on page 2, Section 1, line 7 after the words "legislative departments," and change the bill to read as follows: "except the offices of Governor, Lieutenant Governor, Auditor of Public Accounts, Attorney General, Judges of the Court of Appeals, Circuit Judges and members of the General Assembly."

Said amendment was agreed to.

Mr. Evans moved that said bill be laid on the table.

Said motion was disagreed to.

Mr. Kirtley moved that further consideration of said bill be postponed and that said bill retain its place in the Orders of the Day.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 474. An Act to repeal and re-enact Section 1820 Kentucky Statutes, Carroll's 1930 Edition, providing for the establishment of ferries on the Ohio River and other streams; and providing penalty for violation thereof.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. No new ferry shall be granted, established or operated on the Ohio River or any stream within this State within less than five miles of the place in a straight line at which any existing ferry or bridge is now established, built or operated.

§ 2. Any person, firm or corporation violating Section 1 hereof shall be guilty of a misdemeanor and upon conviction shall be fined not less than Five Hundred ($500.00) Dollars nor more than One Thousand ($1,000.00) Dollars.

§ 3. All laws and parts of laws in conflict herewith hereby are repealed.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title and passed.

The yeas and nays being taken on the passage of said bill in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Clarence E. Evans	W. H. Miller
Carroll D. Asbury	Rudy Ferguson	Tyler Munford
Levi Baker	L. J. Gammon	Richard H. Nufer
Harold L. Barnes	Ferd A. Gnau	Robert A. Persky
B. F. Bedford	J. S. Hall	James I. Peters
Wm. B. Belknap	W. Yancey Handy	M. D. Phelps
Reuben J. Boling	Frank Harris	Kleber F. Price
O. J. Bowen	R. M. Harrison, Jr.	G. M. Pritchett
Jas. C. Bright	J. Joseph Hettinger	Pat Rankin
Corbett Brown	Dr. A. L. Hill	Waylon Rayburn
Wallace Brown	John R. Hobbs	W. P. Renfro
Hugh K. Bullitt	Ira W. Hulette	Avery Sartin
J. A. Coleman	G. C. Johnson	Jos. W. Schneider
Sidney J. Collins	Leo King	Mrs. M. B. Scott
D. B. Coughlin	W. L. Knuckles, Jr.	Harry Sparks
Joel T. Crenshaw	Glenn W. Lane	Lafe J. Spencer
G. Cunningham	Herschel McKinley	Harry B. Thornton
W. J. Curtis	Roy McWaters	Starling B. Tracy
Harry Davis	C. C. May	Henry T. Ward
R. A. Demunbrun	J. S. Mattingly	Robert E. Webb
S. S. Dickson	G. Samuel Milam	J. B. Wicker
George Dunlap	Clarence Miller	
Garland Embry	H. H. Miller	—67

Resolved that the title thereof be as aforesaid.

Dr. Hill moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 207. An Act to define and increase the jurisdiction of Courts having general equity jurisdiction within this Com-

monwealth by amending Section 2117 of Carroll's Kentucky Statutes as amended, and by adding thereto as a ground of divorce to both parties, the insanity or lunacy of such parties, and regulating the terms and conditions under and by which Courts having general equity jurisdiction within this Commonwealth may grant divorces upon such ground, the same being in addition to the grounds for divorce to both husband and wife now and heretofore existing within this Commonwealth.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That, the first subdivision of Section 2117 of Carroll's Kentucky Statutes as amended be and the same hereby is amended by inserting after the word "application" and before the words "to party" the following paragraph:

3. "To either husband or wife (but not to both): Insanity or lunacy, existing at the time of actual confinement, for such cause, of the person, of either, for a period of at least five years, immediately preceding the institution of the suit for divorce, and existing at the time such suit is instituted.

Before entering a judgment awarding a divorce on the ground of insanity or lunacy, as herein defined, the judge hearing such case shall appoint, upon motion of either party, or in the absence of such motion, upon its own motion, two reputable and practicing physicians, who shall make examination of the alleged insane party to the action, and who shall report their findings under oath to the Court, under whose commission they are empowered to act, and such report shall be either by deposition, as now regulated by the Code of Civil Practice, or by affidavit to be prepared in such manner as the Court shall direct, or the Court may compel the personal attendance before it of such physicians whenever it may direct

for oral examination, and for omission so to report, the physicians failing to report in any such case, or either of them, shall be liable, and punished for contempt as for failure to obey any other process of the court, and it is further provided that in every suit for divorce instituted under this Subsection, service of process may be valid only where the Sheriff's return upon the summons shows that said summons was served upon the duly appointed, acting and qualified committee of the insane party to said suit, and shall further show that a copy of the summons and petition has been served by personally delivering the same to the insane person, if either he or she be confined within this Commonwealth, and if any such alleged insane party to a suit under this Subsection shall be confined and reside elsewhere than in the Commonwealth of Kentucky, then in such case, service of process upon such party may be had upon the duly appointed, acting and qualified committee of such person within this State, if any, and further the return of the Sheriff, in such cases, upon the summons shall show that a Warning Order Attorney was duly appointed to notify such alleged non-resident insane party to said suit for a divorce, and to notify the person, official or institution in whose custody such non-resident insane party may be or is confirmed; and the affidavit for the appointment for such Warning Order of Attorney shall show due necessity and the facts requiring the appointment; and the report of such Warning Order Attorney shall fully disclose the result of his correspondence with such alleged insane non-resident party and the person, official or institution in whose custody such party may be; and such Warning Order Attorney may, with the approval of the Court, proceed to such point and take such depositions as may be necessary to protect the rights of such non-resident insane party and all of his expenses, depositions and fees shall be taxed as costs in the action for divorce against the party plaintiff, if he be the husband; provided, however, that no judgment obtained by a husband against an alleged insane wife confined by him in a

foreign State or Country, obtained upon constructive service as herein defined shall be deemed to be free from collateral attack on grounds of fraud or force, and no judgment whatever shall be permitted to relieve the plaintiff, if he is a husband, from making due and proper provision for his wife, whether sane or insane.

Before a divorce shall be granted on the ground of insanity there shall be published in a newspaper in the County where the suit is instituted a succinct notice giving the name of the parties thereto and the statement that the action for a divorce is being brought under this Subsection of Section 2117, Carroll's Kentucky Statutes at least once each week for four consecutive weeks next preceding the submission for judgment, signed by plaintiff or his attorney.

In any case where the committee of an insane person or a lunatic shall be the husband or wife of a party defendant, then, and in such case for purposes of service of process, as herein prescribed, it shall be the duty of the Court to appoint for such person a committee for purposes of such service, and such committee shall be a discrete, reputable citizen and resident within the jurisdiction of the Court."

So that when said Section 2117, Carroll's Kentucky Statutes, as amended, and the first subsection thereof is amended by inserting paragraph 3, as hereinabove indicated, the same shall read as follows:

"2117. EQUITY JURISDICTION; CAUSE FOR DIVORCE.—A jury shall not be impaneled in any action for divorce, alimony or maintenance, but courts having general equity jurisdiction may grant a divorce for any of the following causes, to both husband and wife:

1. To both parties. Such impotency or malformation as prevents sexual intercourse.

2. Living apart without any cohabitation for five consecutive years next before the application.

3. To either husband or wife (but not to both): Insanity or lunacy existing at the time of actual confinement, for such cause, of the person of either, for a period of at least five years, immediately preceding the institution of the suit for divorce, and existing at the time such suit is instituted.

Before entering a judgment awarding a divorce on the ground of insanity or lunacy, as herein defined, the judge hearing such case shall appoint, upon motion of either party, or in the absence of such motion, upon its own motion, two reputable and practicing physicians, who shall make an examination of the alleged insane party to the action, and who shall report their findings under oath to the Court, under whose commission they are empowered to act, and such report shall be either by deposition, as now regulated by the Code of Civil Practice, or by affidavit to be prepared in such manner as the Court shall direct, or the Court may compel the personal attendance before it of such physicians whenever it may direct for oral examination, and for omission so to report, the physicians failing to report in any such case, or either of them, shall be liable and punished for contempt as for failure to obey any other process of the Court, and it is further provided that in every suit for divorce instituted under this Subsection, service of process may be valid only where the Sheriff's return upon the summons shows that said summons was served upon the duly appointed, acting and qualified committee of the insane party to said suit, and shall further show that a copy of the summons and petition has been served by personally delivering the same to the insane person, if either he or she be confined within this Commonwealth, and if any such alleged insane party to a suit under this Subsection shall be confined and reside elsewhere than in the Commonwealth of Kentucky, then in such case, service of process upon such party may be had upon the duly appointed, acting and qualified committee of such person within this State, if any, and further the return of the Sheriff, in such cases, upon the summons shall show that a Warning Order

Attorney was duly appointed to notify such alleged non-resident insane party to said suit for a divorce, and to notify the person, official or institution in whose custody such non-resident insane party may be or is confined; and the affidavit for the appointment of such Warning Order of Attorney shall show due necessity and the facts requiring the appointment; and the report of such Warning Order Attorney shall fully disclose the result of his correspondence with such alleged insane non-resident party and the person, official or institution in whose custody such party may be; and such Warning Order Attorney may, with the approval of the Court, proceed to such point and take such depositions as may be necessary to protect the rights of such non-resident insane party and all of his expenses, depositions and fees shall be taxed as costs in the action for divorce against the party plaintiff, if he be the husband; provided, however, that no judgment obtained by a husband against an alleged insane wife confined by him in a foreign State or Country, obtained upon constructive service as herein defined shall be deemed to be free from collateral attack on grounds of fraud or force, and no judgment whatever shall be permitted to relieve the plaintiff, if he is a husband, from making due and proper provision for his wife, whether sane or insane.

Before a divorce shall be granted on the ground of insanity there shall be published in a newspaper in the County where the suit is instituted a succinct notice giving the names of the parties thereto and the statement that the action for a divorce is being brought under this Subsection of Section 2117, Carroll's Kentucky Statutes, at least once each week for four consecutive weeks next preceding the submission for judgment, signed by plaintiff or his attorney.

In any case where the committee of an insane person or a lunatic shall be the husband or wife of a party defendant, then, and in such case for purposes of service of process, as herein prescribed, it shall be the duty of the Court to appoint for such person a committee for purposes of such service,

and such committee shall be a discrete, reputable citizen and resident within the jurisdiction of the Court.

To party not in fault.—Also to the party not in fault, for the following causes:

1. Abandonment by one party or the other for one year.
2. Living in adultery with another man or woman.
3. Condemnation for felony in or out of this State.
4. Concealment from the other party of any loathsome disease existing at the time of marriage, or contracting such afterward.
5. Force, duress or fraud in obtaining the marriage.
6. Uniting with any religious society whose creed and rules require a renunciation of the marriage covenant, or forbid husband and wife from cohabiting.

To the wife.—Also to the wife, when not in like fault, for the following causes:

1. Confirmed habit of drunkenness on the part of the husband of not less than one year's duration, accompanied with a wasting of his estate, and without any suitable provision for the maintenance of his wife or children.
2. Habitually behaving toward her by the husband, for not less than six months, in such cruel and inhuman manner as to indicate a settled aversion to her, or to destroy permanently her peace and happiness.
3. Such cruel beating or injury, or attempt at injury, of the wife by the husband, as indicates an outrageous temper in him, or probable danger to her life, or great bodily injury from her remaining with him.

To the husband.—Also to the husband for the following causes:

1. Where the wife is pregnant by another man without the husband's knowledge at the time of marriage.
2. When not in like fault, habitual drunkenness on the part of the wife of not less than one year's duration.
3. Adultery by the wife, or such lewd, lascivious be-

havior on her part as proves her to be unchaste, without actual proof of an act of adultery.

§ 2. That all laws and parts of laws in conflict with this act are hereby repealed. (1893, c. 205, p. 925—22.)

Mr. Knuckles moved that said bill be laid on the table.

Said motion was agreed to.

And so said bill was tabled.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 51. Resolution authorizing Sam Caswell and Lee Butterworth to sue the Commonwealth of Kentucky and the State Highway Commission, or either.

Said resolution is as follows, viz.:

WHEREAS, on the 7th day of December, 1933, Sam Caswell and Lee Butterworth, of Solway, Hardin County, Ky., while driving and riding in an automobile, after dark (belonging to the above named Sam Caswell), on State Highway leading from Cecilia, to Vertress, ran into a State Highway truck parked on above named road without any light, thereby causing Caswell's car to turn over and both Sam Caswell and Lee Butterworth were seriously injured, therefor,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Sam Caswell and Lee Butterworth be, and are hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission, or either, in the Circuit Court of the County of their residence for such damages as they may have suffered, if any, by reason of any injury received by them through the carelessness or negli-

gence of the agent, or employees, of the State Highway Commission. In the event any judgment is recovered by the said Caswell and Butterworth in said suit for injuries to either or both of them, or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer, and paid out of the General Fund.

§ 2. Either party to said suit may appeal from any judgment which may be entered therein as in any other civil suit, and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as any other civil case.

Mr. G. C. Johnson offered the following amendment to said resolution, viz.:

Amend H. Res. 51, on page 1, Section 1, line 4, after the word "damages" and before the word "as", by inserting the following: "that in the case of Caswell, not to exceed the sum of One Thousand Dollars ($1,000.00) and in the case of Butterworth, not to exceed the sum of Six Hundred Dollars ($600.00).

Said amendment was agreed to.

Ordered that said resolution be engrossed and read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with and the same being engrossed, said resolution was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Levi Baker	Marshall Barnes
Carroll D. Asbury	Harold L. Barnes	B. F. Bedford

Wm. B. Belknap	W. Yancey Handy	James B. Milliken
Reuben J. Boling	Judson Harmon	Tyler Munford
O. J. Bowen	Frank Harris	Steve Pieratt
Wallace Brown	R. M. Harrison, Jr.	Kleber F. Price
Frank C. Bruton	J. Joseph Hettinger	G. M. Pritchett
Mrs. Cecil Cantrill	Dr. A. L. Hill	Waylon Rayburn
J. A. Coleman	John R. Hobbs	W. P. Renfro
Joel T. Crenshaw	Ira W. Hulette	L. D. Sandlin
Harry Davis	G. C. Johnson	Avery Sartin
R. A. Demunbrun	Glenn W. Lane	Jos. W. Schneider
S. S. Dickson	Alden L. Love	Mrs. M. B. Scott
Garland Embry	M. T. McCarthy	Harry Sparks
Clarence E. Evans	Roy McWaters	J. Sterling Towles
Rudy Ferguson	C. C. May	Starling B. Tracy
L. J. Gammon	J. S. Mattingly	Henry T. Ward
W. J. Garnett	L. B. Meadors	Robert E. Webb
Ralph Gilbert	G. Samuel Milam	J. B. Wicker
Ferd A. Gnau	Clarence Miller	B. M. Williams
J. S. Hall	W. H. Miller	—61

Resolved that the title thereof be as aforesaid.

Mr. G. C. Johnson moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 52. Joint Resolution for the benefit of the City of Stanford, Ky., and authorizing the State Highway Commission of Kentucky to ascertain the cost of construction of Federal Highways, Nos. 27 and 168, through a portion of the corporate limits of said City, over the routes hereinafter described and pay the amount thereof to the City of Stanford.

Said resolution is as follows, viz.:

WHEREAS, the State Highway Commission has constructed State Highway No. 27 from the southern corporate limits of the limits of the city along and over Somerset street to Main Street in said city, and has constructed State Highway No. 168, along and over east Main Street in said city to the east side of Whitley Avenue; and,

Whereas, the City Council of said city, without electing to act under and in pursuance of the terms and conditions and provisions of Chapter 178 of the act of 1926, has constructed or caused to be constructed, by Ordinances duly enacted, streets running through said city, upon the ten-year bond plan as provided by Kentucky Statutes, Section 3706, of a type of construction different from the type constructed by the Highway Commission within the city on the streets above named and that so constructed by the city, being that portion of State Highway No. 168, beginning at the city limits on Danville Avenue and along said Avenue to Main street, thence along Main street to the west side of Whitley Avenue, a distance of six thousand and eighty-three (6,083) feet, and that portion of State Highway No. 27, beginning at the intersection of Lancaster street with Main street and along said Lancaster street towards northern city limits, a distance of twenty-five hundred and thirty-two (2,532) feet; and,

Whereas, the City of Stanford, desires to avail itself of the provisions of Chapter 178, of the Acts of 1928, now Section 4356t-8, Kentucky Statutes; therefore,

Be it enacted by the Senate (the House of Representatives concurring therein):

That the Commonwealth of Kentucky, by and through its agent, the State Highway Commission of Kentucky, be and it is hereby authorized to ascertain the actual cost of the construction of Federal Highways Nos. 27 and 168, over the routes within the corporate limits of the City of Stanford,

hereinabove described, and having done so, the State Highway Commission of Kentucky be and it is hereby authorized to enter into a contract with said City, wherein and whereby the Commonwealth of Kentucky by and through its agent, the State Highway Commission of Kentucky, as party of the first part, binds itself and agrees to pay to the City of Stanford, as party of the second part, such sum as the State Highway Commission of Kentucky, may in its discretion, determine to be the actual cost of the construction through the said city of 6,083 feet and 2,532 feet, of the same type of road already constructed by said Commission on Federal Highways Nos. 27 and 168, within the city limits as hereinabove set forth and of the same width, to-wit: 18 feet, and providing that the City shall pay or assume the cost of the additional cost of construction, by reason of the higher type of road within the limits of said City along said portions of said State Highways Nos. 27 and 168, and the Auditor of Public Accounts, upon the execution of said contract and with the filing of same in the office of the Secretary of State, and upon presentation to the Auditor of Public Accounts of a certified copy thereof, be and he is herey authorized, draw his warrant upon the Treasurer of the State of Kentucky, payable to the order of the City of Stanford, for such sum, as may be decided upon as provided in said contract and as provided in Chapter 178, of the Acts of 1928—now Section 4356 t 8, Kentucky Statutes.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with said resolution was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	J. B. Floyd	James B. Milliken
Carroll D. Asbury	Kelly J. Francis	Tyler Munford
Levi Baker	Ralph Gilbert	Richard H. Nufer
Marshall Barnes	J. S. Hall	James I. Peters
Robert E. Beatty	W. Yancey Handy	M. D. Phelps
B. F. Bedford	Frank Harris	Steve Pieratt
Reuben J. Boling	R. M. Harrison, Jr.	Kleber F. Price
O. J. Bowen	J. Joseph Hettinger	Pat Rankin
Jas. C. Bright	John R. Hobbs	Waylon Rayburn
Corbett Brown	Ira W. Hulette	W. P. Renfro
Wallace Brown	G. C. Johnson	Avery Sartin
Hugh K. Bullitt	T. M. Johnson	Mrs. M. B. Scott
J. A. Coleman	J. H. King	Harry Sparks
Sidney J. Collins	Leo King	Lafe J. Spencer
Joel T. Crenshaw	W. L. Knuckles, Jr.	Lyle C. Tackett
W. J. Curtis	M. T. McCarthy	Harry B. Thornton
Harry Davis	Herschel McKinley	J. Sterling Towles
R. A. Demunbrun	Roy McWaters	Starling B. Tracy
S. S. Dickson	C. C. May	Henry T. Ward
Garland Embry	G. Samuel Milam	J. B. Wicker
Clarence E. Evans	H. H. Miller	
Rudy Ferguson	W. H. Miller	—64

Those who voted in the negative were—

Harold L. Barnes	Alden L. Love	Robert E. Webb
Wm. B. Belknap	J. S. Mattingly	
D. B. Coughlin	Jos. W. Schneider	—7

Resolved that the title thereof be as aforesaid.

Mr. Francis moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 65. Resolution authorizing E. E. Tarter of Hickman county to sue the Commonwealth of Kentucky and the State Highway Commission.

Said resolution is as follows, viz.:

WHEREAS, during the years 1927 and 1928 the State Highway Commission of Kentucky built a highway thru Hickman County, known as U. S. 51, which highway crosses Obion Creek; and

Whereas, a bridge was constructed over said Creek by the State Highway Commission and a levee was constructed to protect the highway, which was found insufficient to prevent an overflow of the highway; and

Whereas, in 1930 the State Highway Commission, thru its contractor, Cox & Frasier of La Center, Kentucky raised said levee about four (4) feet higher and left an opening therein about one hundred and thirty (130) feet long north of said Creek, which causes an overflow at said point, covering a sixty (60) acre field belonging to the said E. E. Tarter, which has made it impossible for him to cultivate said land and has caused deep gullies to wash therein, leaving nothing but the sub-soil;

Now Therefore, to determine the liability of the State Highway Commission and the Commonwealth of Kentucky for causing said water to flow upon his said land and wash the same,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That E. E. Tarter of Hickman County be, and he hereby is empowered and authorized to file and prosecute an action in the Hickman Circuit Court against the Commonwealth of Kentucky and the State Highway Commission, to determine

the liability of the Commonwealth of Kentucky and the State Highway Commission for the alleged injury to his said land as aforesaid. Provided, however, that the amount of recovery for any injury which the said Tarter shall have sustained shall not exceed Four Thousand ($4,000.00) Dollars.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of the said resolution at length being dispensed with, said resolution was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Rudy Ferguson	W. H. Miller
Carroll D. Asbury	Kelly J. Francis	James B. Milliken
Levi Baker	L. J. Gammon	Tyler Munford
Harold L. Barnes	W. J. Garnett	Richard H. Nufer
Marshall Barnes	Ralph Gilbert	M. D. Phelps
B. F. Bedford	J. S. Hall	Kleber F. Price
Wm. B. Belknap	W. Yancey Handy	Pat Rankin
O. J. Bowen	Judson Harmon	Waylon Rayburn
Corbett Brown	Frank Harris	W. P. Renfro
Wallace Brown	R. M. Harrison, Jr.	L. D. Sandlin
Frank C. Bruton	J. Joseph Hettinger	Avery Sartin
Hugh K. Bullitt	Dr. A. L. Hill	Mrs. M. B. Scott
Mrs. Cecil Cantrill	John R. Hobbs	Harry Sparks
Charles Chandler	G. C. Johnson	Lafe J. Spencer
J. A. Coleman	W. L. Knuckles, Jr.	Lyle C. Tackett
Joel T. Crenshaw	Glenn W. Lane	Harry B. Thornton
G. Cunningham	Alden L. Love	J. Sterling Towles
Harry Davis	M. T. McCarthy	Starling B. Tracy
R. A. Demunbrun	Roy McWaters	Henry T. Ward
S. S. Dickson	C. C. May	Robert E. Webb
Garland Embry	G. Samuel Milam	J. B. Wicker
Clarence E. Evans	Clarence Miller	B. M. Williams

—66

Resolved that the title thereof be as aforesaid.

Mr. Land moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. No. 53. Resolution authorizing Mrs. Lane Taulbee Holliday, of Insko, Morgan County, Kentucky, to sue the Commonwealth of Kentucky and/or the State Highway Commission to test the validity and to construe a deed of date September 15, 1926, to the Commonwealth of Kentucky and/or the State Highway Commission and for damages for the use of the property belonging to her and damage to lot and buildings; etc.

Said resolution is as follows, viz.:

WHEREAS, during the year, 1933, the State Highway Commission constructed and caused to be constructed, a road Highway No. 28, over the property claimed by and in the possession of Mrs. Holliday, near Insko, Morgan County, Kentucky; and,

Whereas, the vendor of Mrs. Holliday, Hugh Armstrong had signed and acknowledged a deed for right of way through said property; and,

Whereas, there are erasures in said deed, and said deed was not recorded until more than four years after the purchase of said property by Mrs. Holliday and there have been three or more surveys of the right of way through said property; and,

Whereas, it is claimed by Mrs. Lane Taulbee Holliday that the deed was not delivered to the State Highway Com-

mission or the Commonwealth of Kentucky until about four years after it was signed and acknowledged, and after her purchase of the property, and that the erasure of a provision therein for the protection from damages for the buildings was made after the said deed was signed and acknowledged and after her purchase of the property, and that the road was not constructed on the right of way as surveyed and referred to in the deed for the right of way and that the description of the said right of way is so indefinite and uncertain as to be of no value in determining its location; and

Whereas, the property and the buildings thereon have been seriously damaged by the construction of said road, and Mrs. Holliday is claiming damages from Morgan County and the State Highway Commission and/or the Commonwealth of Kentucky; Now Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

§ 1. That Mrs. Lane Taulbee Holliday of Insko, Morgan County, is hereby authorized and permitted to sue the Commonwealth of Kentucky and/or the State Highway Commission to test the sufficiency, validity, and construction of the deed from Hugh Armstrong and wife to the State Highway Commission and/or the Commonwealth of Kentucky, signed and acknowledged on September 15, 1926, and for any damages she may have sustained and that may be chargeable against the said State Highway Cmmission and/or the Commonwealth of Kentucky, if any, by the construction of said road over the property claimed and in her possession, near Insko, Kentucky, not to exceed the sum of $1,500.00.

§ 2. Either party to said suit may appeal from any judgment which may be rendered therein as in other civil cases. The controversy may be settled and adjusted in the same way as other civil cases.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	W. J. Garnett	G. Samuel Milam
Carroll D. Asbury	Ralph Gilbert	Clarence Miller
Levi Baker	Ferd A. Gnau	W. H. Miller
Harold L. Barnes	J. S. Hall	James B. Milliken
Marshall Barnes	W. Yancey Handy	Tyler Munford
B. F. Bedford	Judson Harmon	Rodes K. Myers
Wm. B. Belknap	R. M. Harrison, Jr.	Richard H. Nufer
Reuben J. Boling	J. Joseph Hettinger	Robert A. Persky
O. J. Bowen	Dr. A. L. Hill	James I. Peters
Wallace Brown	John R. Hobbs	Steve Pieratt
Frank C. Bruton	G. W. Howard	Kleber F. Price
Hugh K. Bullitt	Ira W. Hulette	G. M. Pritchett
Mrs. Cecil Cantrill	G. C. Johnson	Waylon Rayburn
J. A. Coleman	T. M. Johnson	W. P. Renfro
D. B. Coughlin	F. P. Kessee	L. D. Sandlin
Joel T. Crenshaw	J. H. King	Avery Sartin
Harry Davis	W. L. Knuckles, Jr.	Jos. W. Schneider
R. A. Demunbrun	Glenn W. Lane	Mrs. M. B. Scott
S. S. Dickson	Alden L. Love	Harry Sparks
George Dunlap	M. T. McCarthy	J. Sterling Towles
Garland Embry	Herschel McKinley	Starling B. Tracy
Clarence E. Evans	C. C. McMasters	Robert E. Webb
Rudy Ferguson	C. C. May	J. B. Wicker
J. B. Floyd	J. S. Mattingly	B. M. Williams
Kelly J. Francis	L. B. Meadors	—74

There voted in the negative—

Pat Rankin —1

Resolved that the title thereof be as aforesaid.

Mr. May moved that the vote by which said reslution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a resolution entitled:

H. Res. 42. Resolution authorizing the Irvine Construction Company to sue the State Highway Commission and the Commonwealth of Kentucky to determine by judicial pro ceeding whether they, or either of them, are indebted to said construction company for work performed pursuant to contract between the said Highway Commission and the said Irvine Construction Company.

Said resolution is as follows, viz.:

Whereas, the Irvine Construction Company entered into a contract with the State Highway Commission on the 11th day of February, 1931, whereby said Highway Commission agreed to pay said Irvine Construction Company for work done on the Owingsville-Farmer road in Bath County, beginning approximately three miles east of Owingsville Station 167 and extending to the Rowan County line station 712x77, a distance of approximately 10.212 miles, the consideration for said work was so much per unit, and among other things for overhaul excavations; and,

Whereas, there was and now is a dispute between the Highway Commission and the Irvine Construction Company as to whether or not the said Highway Commission is indebted

to said Irvine Construction Company for certain overhaul done pursuant to said contract: Now, Therefore,

Be it Resolved by the General Assembly of the Commonwealth of Kentucky:

That the Irvine Construction Company be, and it is hereby authorized and permitted to sue the State Highway Commission and the Commonwealth of Kentucky or either in a court having jurisdiction of the parties, as now provided by law, for the purpose of determining whether or not there is due the said Irvine Construction Company any part of the consideration stated in said contract for said overhaul, if any, done by said Construction Company. Said suit shall be pursuant to, and on said contract and in accordance with its terms as interpreted by the courts, and either party shall have the right to appeal as now provided by law.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Corbett Brown	R. A. Demunbrun
Carroll D. Asbury	Wallace Brown	George Dunlap
Levi Baker	Frank C. Bruton	Garland Embry
Harold L. Barnes	Hugh K. Bullitt	Clarence E. Evans
Marshall Barnes	Mrs. Cecil Cantrill	Rudy Ferguson
B. F. Bedford	J. A. Coleman	J. B. Floyd
Wm. B. Belknap	Joel T. Crenshaw	Kelly J. Francis
Reuben J. Boling	G. Cunningham	Ralph Gilbert
O. J. Bowen	Harry Davis	Ferd A. Gnau

J. S. Hall	C. C. McMasters	W. P. Renfro
W. Yancey Handy	Roy McWaters	L. D. Sandlin
Judson Harmon	C. C. May	Avery Sartin
Frank Harris	J. S. Mattingly	Mrs. M. B. Scott
R. M. Harrison, Jr.	L. B. Meadors	Harry Sparks
J. Joseph Hettinger	G. Samuel Milam	Lafe J. Spencer
Dr. A. L. Hill	Clarence Miller	Lyle C. Tackett
John R. Hobbs	W. H. Miller	J. Sterling Towles
Ira W. Hulette	James B. Milliken	Starling B. Tracy
G. C. Johnson	Tyler Munford	Henry T. Ward
T. M. Johnson	Rodes K. Myers	Robert E. Webb
W. L. Knuckles, Jr.	Richard H. Nufer	J. B. Wicker
Glenn W. Lane	Robert A. Persky	B. M. Williams
Alden L. Love	Kleber F. Price	—68

Resolved that the title thereof be as aforesaid.

Mr. Clarence Miller moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 33. Resolution to permit Charles Mattingly to sue the Commonwealth.

Said resolution is as follows, viz.:

WHEREAS, in the months of March, April, May, June and July, 1933, the residence and property of Charles Mattingly, of Bardstown, Nelson County, Kentucky, was damaged by and by reason of the blasting of rock and etc., by employees and agents of the Kentucky State Highway Commission, at or near the intersection of U. S. Highway No. 62 and U. S. Highway No. 68, at the Eastern edge of the city of Bardstown

and near the residence of the aforesaid Charles Mattingly, and said damage was caused by the carelessness and the negligence of the said employees and by the agents of the said Highway Commission while in the performance of their official duties.

Therefore be it resolved by the General Assembly of the Commonwealth of Kentucky:

That Charles Mattingly be, and he is hereby authorized and permitted to sue the Commonwealth of Kentucky and the State Highway Commission of Kentucky in the Circuit Court of the County of his residence for such damages as he may have suffered, if any, by reason of any damage or injury received by him to his said residence and property, through the carelessness or negligence of the agents, or the employees of the State Highway Commission. Said suit shall be for any amount not exceeding the sum of $600.00, and in the event any judgment is recovered by said Charles Mattingly in said suit for damages or same is compromised or settled, same shall be paid by the Auditor of Public Accounts by warrant drawn on the State Treasurer, and paid out of the General Fund.

Either party to said suit may appeal from any judgment which may be entered herein as in any other civil suit, and the case may be settled and adjusted with the consent and approval of the Attorney General of Kentucky in the same way as in any other civil case.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Kelly J. Francis	Tyler Munford
Carroll D. Asbury	Ferd A. Gnau	Richard H. Nufer
Levi Baker	J. S. Hall	Robert A. Persky
Harold L. Barnes	W. Yancey Handy	Steve Pieratt
Marshall Barnes	Judson Harmon	Kleber F. Price
B. F. Bedford	Frank Harris	Waylon Rayburn
Reuben J. Boling	Dr. A. L. Hill	W. P. Renfro
O. J. Bowen	John R. Hobbs	L. D. Sandlin
Corbett Brown	G. C. Johnson	Avery Sartin
Wallace Brown	T. M. Johnson	Jos. W. Schneider
Frank C. Bruton	J. H. King	Mrs. M. B. Scott
Hugh K. Bullitt	Leo King	Harry Sparks
Mrs. Cecil Cantrill	W. L. Knuckles, Jr.	Lafe J. Spencer
J. A. Coleman	Glenn W. Lane	Lyle C. Tackett
Joel T. Crenshaw	Alden L. Love	John W. Taylor
G. Cunningham	C. C. McMasters	J. Sterling Towles
Harry Davis	Roy McWaters	Starling B. Tracy
R. A. Demunbrun	C. C. May	Henry T. Ward
S. S. Dickson	J. S. Mattingly	Robert E. Webb
George Dunlap	L. B. Meadors	J. B. Wicker
Garland Embry	G. Samuel Milam	B. M. Williams
Clarence E. Evans	W. H. Miller	
J. B. Floyd	James B. Milliken	—67

There voted in the negative—

Pat Rankin —1

Resolved that the title thereof be as aforesaid.

Mr. Wallace Brown moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 67. WHEREAS, Goalder Johnson, on June 19, 1930, transported Desmond Wells from Hickman, Kentucky, to the Reform School at Greendale, Kentucky, and in so doing incurred an expense of $64.09, and

Whereas, on March 15, 1930, Goalder Johnson transported Willie May Talbert from Hickman, Kentucky, to the Reform School at Greendale, Kentucky, and incurred an expense of $64.09, and

Whereas, the said Goalder Johnson has not been reimbursed in this amount, or in any other amount, Therefore,

Be it Resolved by the Senate and House of Representatives:

That the said amount of $128.18 be and is hereby appropriated to be paid to the said Goalder Johnson, and the Auditor of Public Accounts is directed to draw his warrant upon the Treasurer for said amount and deliver the same to Goalder Johnson for the purpose aforesaid.

Ordered, that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provision of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Wallace Brown	G. Cunningham
Carroll D. Asbury	Frank C. Bruton	R. A. Demunbrun
Levi Baker	Hugh K. Bullitt	Garland Embry
B. F. Bedford	Mrs. Cecil Cantrill	Rudy Ferguson
Wm. B. Belknap	J. A. Coleman	Kelly J. Francis
Corbett Brown	Joel T. Crenshaw	W. J. Garnett

Ferd A. Gnau	Glenn W. Lane	G. M. Pritchett
W. Yancey Handy	Alden L. Love	Waylon Rayburn
Judson Harmon	Roy McWaters	W. P. Renfro
Frank Harris	C. C. May	L. D. Sandlin
R. M. Harrison, Jr.	J. S. Mattingly	Avery Sartin
J. Joseph Hettinger	L. B. Meadors	Jos. W. Schneider
Dr. A. L. Hill	G. Samuel Milam	Mrs. M. B. Scott
John R. Hobbs	Clarence Miller	Lyle C. Tackett
Ira W. Hulette	H. H. Miller	Harry B. Thornton
G. C. Johnson	W. H. Miller	J. Sterling Towles
J. H. King	James B. Milliken	Starling B. Tracy
Leo King	Richard H. Nufer	J. B. Wicker
John Kirtley	M. D. Phelps	B. M. Williams
W. L. Knuckles, Jr.	Kleber F. Price	

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Those who voted in the negative were—

O. J. Bowen	Pat Rankin	Lafe J. Spencer

—3

Resolved that the title thereof be as aforesaid.

Mr. Lane moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day a resolution entitled:

H. Res. 48. A Joint Resolution adopting and proclaiming Blue Grass as the official State flower of the Commonwealth of Kentucky, and repealing Senate Resolution No. 20, Chapter 353, of the Acts of the General Assembly of Kentucky of 1926, by which the Goldenrod was adopted as the State flower of Kentucky.

Said resolution is as follows, viz.:

WHEREAS, it is a matter of common knowledge that various states of the Union have, by proper legislative enactment, adopted and proclaimed certain plants and flowers native to such states as the official plant and flower thereof; and,

Whereas, the plant known as Kentucky Blue Grass (*poa pratensis*), is generally believed, and, by competent authorities has been fairly demonstrated to be native and indigenous to Kentucky and has given fame to the livestock and agricultural products of Kentucky throughout the world as a superior pasture grass and as a valuable soil fertilizer; and,

Whereas, it is deemed appropriate that a plant so intimately associated with the entire history and prosperity of Kentucky should be selected as emblematic of the Commonwealth which has long since acquired and to all the world bears the name of the Blue Grass State; and,

Whereas, it is conceived that the plant known as the Goldenrod heretofore adopted as the official State flower of Kentucky is not so appropriate to the purpose as Kentucky Blue Grass, and there is some reason to believe that Goldenrod was inadvertently and inconsiderately adopted as such State flower for Kentucky; and the history and sentiment associated with Blue Grass make it more eminently appropriate for adoption; Now, Therefore,

Be it Resolved by the House of Representatives of Kentucky, the Senate thereof concurring:

§ 1. That from and after the passage of this Joint Resolution, Kentucky Blue Glass (*poa pratensis*) shall be and it is adopted and proclaimed as the official State plant and flower of the Commonwealth of Kentucky, and that upon all occasions whatsoever, it shall be so accepted, declared and published;

§ 2. That Senate Resolution No. 20, Chapter 353 of the Acts of the General Assembly of the regular session of 1926,

selecting and proclaiming Goldenrod as the official State flower of Kentucky, be, and the same is hereby repealed and shall henceforth, upon the passage of this present Joint Resolution, be of no further force or effect whatsoever.

Ordered that said resolution be read the third time.

The Constitutional provision as to the third reading of said resolution at length being dispensed with, said resolution was read the third time by its title and passed.

The yeas and nays being taken on the passage of said resolution in accordance with the provisions of the Constitution were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	S. S. Dickson	C. C. May
Carroll D. Asbury	Garland Embry	J. S. Mattingly
Levi Baker	Clarence E. Evans	Clarence Miller
Harold L. Barnes	Rudy Ferguson	H. H. Miller
Marshall Barnes	J. B. Floyd	W. H. Miller
Robert E. Beatty	W. J. Garnett	James B. Milliken
B. F. Bedford	Ferd A. Gnau	Tyler Munford
Reuben J. Boling	W. Yancey Handy	Richard H. Nufer
O. J. Bowen	Judson Harmon	James I. Peters
Wallace Brown	Frank Harris	M. D. Phelps
Frank C. Bruton	Dr. A. L. Hill	Kleber F. Price
Hugh K. Bullitt	John R. Hobbs	Pat Rankin
Mrs. Cecil Cantrill	Ira W. Hulette	Waylon Rayburn
J. A. Coleman	G. C. Johnson	L. D. Sandlin
Sidney J. Collins	J. H. King	Avery Sartin
D. B. Coughlin	W. L. Knuckles, Jr.	Jos. W. Schneider
Joel T. Crenshaw	Glenn W. Lane	Mrs. M. B. Scott
G. Cunningham	Alden L. Love	Lafe J. Spencer
W. J. Curtis	C. C. McMasters	Lyle C. Tackett
R. A. Demunbrun	Roy McWaters	John W. Taylor

Harry B. Thornton Starling B. Tracy J. B. Wicker
J. Sterling Towles Henry T. Ward —65

There voted in the negative—

R. M. Harrison, Jr. —1

Resolved that the title thereof be as aforesaid.

Mrs. Cantrill moved that the vote by which said resolution was passed be reconsidered and that said motion lie on the table.

Said motion was agreed to.

Dr. Hill of the Committee on Rules, moved that the Rules be suspended for the purpose of introducing bills.

Said motion was agreed to.

Thereupon the following bills were introduced, ordered printed and referred as follows, viz.:

By Dr. Hill:

H. B. 887. An Act appropriating money for the operation and maintenance of the various departments, boards, commissions, institutions, and agencies of the State government of the Commonwealth of Kentucky for the fiscal years ending June 30, 1935, and June 30, 1936, designating the funds and sources from which said appropriations are to be paid, prescribing the manner in which same are to be paid, providing for the payment into the State treasury of all fees and other miscellaneous receipts collected by all the different agencies of the State, providing for the establishment of certain revolving funds, and repealing all annual blanket and/or continuing appropriations not provided for in this act, all laws or parts of laws in conflict with any provision thereof.

By Mr. Bright:

H. B. 888. An Act repealing Chapter 55 of the Acts of the 1932 Legislature which amended Section 75 of the Criminal Code, and to leave Section 75 of Carroll's 1932 Criminal Code, as it is published.

By Mr. Bowen:

H. B. 889. An Act to validate certain warrants issued by two former Auditors of this Commonwealth, or their assistants, and to direct the payment of the same and the interest thereon as now provided by law, by the Treasurer of this Commonwealth.

By Mr. Towles:

H. B. 890. An Act to prohibit the sale or transportation of wild rabbits as long as tularemia is existant in this Commonwealth; providing penalty therefor.

By Mr. Meadors:

H. B. 891. An Act providing that each railroad doing business in this Commonwealth shall furnish passes to employees.

To Committee on Rules.

A message was received from the Senate announcing that they had passed a bill which originated in that body, entitled:

S. B. 332. An Act relating to the appointment and removal of officers; repealing, amending and re-enacting Section 3750, Carroll's Kentucky Statutes, 1930 Edition, and repealing all conflicting laws.

Ordered that said bill be printed and referred to the Committee on Rules.

A message was received from the Senate announcing that they had passed bills which originated in the Senate, entitled:

S. Res. 39. Resolution authorizing Albert H. Bowen to sue the Commonwealth.

S. B. 126. An Act creating and establishing a Primary road in the System of Roads and Highways of the Primary System.

S. B. 210. An Act amending Section 3402 of Carroll's Statutes, 1922 Edition, making the fiscal year of cities of the third class begin January 1, of each year.

Ordered that said bills and resolution be printed and referred to Committee on Rules.

Mr. Love of the Committee on Enrollment reported that they had examined and found to be correctly enrolled bills which originated in this House, entitled:

H. B. 126. An Act providing for the creation of a Public Service Commission and regulation and control of public utilities.

H. B. 45. An Act classifying real estate for taxable purposes.

H. B. 237. An Act regulating and governing transportation for hire of persons and property by vehicles on public highways.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found

to be correctly enrolled and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that the Enrolling Clerk of this House deliver said bills to the Senate.

At the hour of six o'clock, P. M., Dr. Hill moved that the House do now recess until seven o'clock P. M.

Said motion was agreed to.

And then the House recessed.

NIGHT SESSION

The hour of seven-thirty o'clock P. M. having arrived, the Speaker resumed the Chair and called the House to order.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 198. An Act relating to revenue and taxation; providing a license or excise tax on the business or occupation of manufacturing distilled spirits known as whiskey or brandy or other species of such double stamped spirits in this State; providing penalties for violation of this act.

With Committee amendments thereto.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That every corporation, association, co-partnership, or individual engaged or proposing to engage in the business

or occupation of manufacturing distilled spirits known as whiskey or brandy or other species of such double distilled spirits in this State from and after the date of the effective repeal of the Eighteenth Amendment shall obtain from the Permit Department of the State government, which is under the supervision and control of the State Tax Commission, a permit to engage in the business or occupation of manufacturing, transporting and selling distilled spirits known as whiskey or brandy or other species of such double stamped spirits in this State for medicinal purposes, and upon the issual of said permit shall in addition to the taxes now imposed by law, pay to the Commonwealth of Kentucky a license tax of five cents on every proof gallon of said distilled spirits for which said permit is issued. Said payment shall be made to the treasurer through the auditor, and a receipt, duly signed by the auditor showing the payment of the license tax herein provided, shall together with said permit have the force and effect of a license certificate.

§ 2. All revenues derived from the operation of this Act after collected and recorded shall be covered through the Auditor of Public Accounts into the State Treasury and credited to the general expenditure fund.

§ 3. Any corporation, association, co-partnership, company or individual who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction fined not less than five hundred dollars ($500.00), nor more than one thousand dollars ($1,000.00).

§ 4. All acts or parts of acts in conflict herewith are hereby repealed.

Said amendment as offered by the Committee is as follows, viz.:

Amend H. B. 198 by striking each paragraph, sentence, phrase and word thereof after the enacting clause in the printed bill and placing in lieu thereof the following sections, paragraphs, sentences, phrases and words:

That Chapter 4 of the Acts of the Special Session of the General Assembly of 1933 be repealed, amended and re-enacted, so that when so repealed, amended and re-enacted, it shall read as follows, viz.:

§ 1. "Person" as used in this Act shall mean every corporation, association, co-partnership or individual.

§ 2. Every person engaged or proposing to engage in manufacturing, selling and transporting distilled spirits in this State, for such uses and purposes as may be lawful, shall obtain from the State Tax Commission a permit to engage in the business or occupation of manufacturing, transporting and selling distilled spirits for said purposes and shall at the time of the issual of said permit, pay to the Commonwealth of Kentucky, in addition to the other license taxes provided by law, an excise tax of five cents (5c) for each proof gallon of distilled spirits for which said permit is issued, but all permits theretofore issued under the Special Act of the General Assembly of 1933, effective September 26, 1933, shall remain in full force and effect, unless otherwise provided by law heretofore passed.

§ 3. (a) Every owner or proprietor of a bonded warehouse in the State in which distilled spirits are stored, shall pay to the Commonwealth of Kentucky a license tax of Fifty Cents (50c) on every proof gallon of distilled spirits manufactured prior to January 1, 1928, and Two Cents (2c) on every proof gallon of distilled spirits manufactured from January 1, 1928, to the effective date of the repeal of the Eighteenth Amendment, to-wit, December 5, 1933, which is liable for tax to the Federal Government, as shown by its official records, and the amount of tax due the State shall be thereby fixed and measured by the State Tax Commission.

The license tax collected under the provisions of this section, insofar as same shall accrue prior to July 1, 1934, shall be paid into the Treasury of the Commonwealth of Kentucky through the Auditor, and credited to a fund to be used

for the relief of the poor and needy persons in the Commonwealth of Kentucky, to be expended at the discretion of the Governor of the Commonwealth.

(b) Every person who is a proprietor of a bonded warehouse, in which are stored such distilled spirits as are described and defined in the foregoing subsection of this section, shall, on the first day of January, May and September, each year, hereafter, and until said distilled spirits have been removed from such warehouses, make a report to the Auditor of Public Accounts in writing, sworn to by the person making the report or by its principal officer or manager, if a corporation. Such report shall show in proof gallons the quantity of such spirits on which the Government tax has been paid, or has become due, or transferred under bond, or removed from the warehouse during the preceding four months, and shall at the time of making said report, pay to the Treasurer, through the Auditor, the aforesaid tax per proof gallon, on such distilled spirits reported on as above directed. All such distilled spirits shall be subject to said tax and the State shall have a lien for licenses tax due, which shall follow any change of ownership.

§ 4. Every person engaged, or proposing to engage in the business or occupation in this State of blending, rectifying or mixing distilled spirits, and the sale and transportation of the same, for such uses and purposes as may be lawful, shall obtain from the State Tax Commission a permit to blend, rectify or mix distilled spirits and to sell and transport same for said purposes.

For the privilege of blending, rectifying or mixing said spirits and selling and transporting same shall in addition to the license tax provided by law pay an excise tax of five cents (5c) for each proof gallon of distilled spirits, blended, rectified, or mixed, is hereby imposed; provided, however, that said license fee (Five Cents) shall not be required to be paid for such distilled spirits used in said blending, rectifying or mixing (a) as were heretofore manufactured in this State or

shall hereafter be manufactured in this State, or (b) which have borne the tax imposed under Section 3 or 6 of this Act.

It shall be the duty of any person engaging in the business or occupation of blending, rectifying or mixing distilled spirits, as above set out, to report on or before the tenth day of the succeeding month, in such form and stating such facts as may be prescribed by the State Tax Commission, the amount of distilled spirits, blended, rectified or mixed during the preceding month, and at the time of making said report, pay the said license tax for said privilege as herein provided.

§ 5. (a) It shall be unlawful for any person to ship or transport or cause to be shipped or transported into the State of Kentucky, any distilled spirits from points without the State, without first having obtained a permit from the State Tax Commission, and no railroad company or express company shall receive for shipment or ship into this State any package or receptacle containing distilled spirits, unless a copy of said permit showing that payment of such taxes as are required by law have been made shall accompany such shipment. Said permit shall be in such form as may be prescribed by the State Tax Commission, and all such shipments into the State shall be governed by such rules and regulations as may be promulgated by said Commission, but said railroad or express company shall not be required to obtain any permit to transport distilled spirits, but shall be subject to all rules and regulations promulgated by the State Tax Commission.

(b) It shall be unlawful for any person who is permitted by law to manufacture, and/or sell, and/or transport distilled spirits, to transport or cause to be transported distilled spirits by any means of transportation other than as may be prescribed by the rules and regulations of the Tax Commission, except such spirits may be transported by truck or wagon from and to freight or express depots, to and from the place or places of business of said permitees and upon the premises of said permitees and from and to one place of business to

another place of business of said permitee, provided that the owner of truck or wagons transporting distilled liquor as aforesaid, excepting trucks and wagons owned and operated by a railroad or express company or by the person permitted by law to manufacture and/or sell, and/or transport distilled spirits, shall procure a permit to engage in said transportation and shall execute a bond, satisfactory in amount, form and as to surety, to be approved by the State Tax Commission, conditioned upon the lawful transportation of such distilled spirits.

§ 6. Every person who purchased distilled spirits and has same shipped into the State of Kentucky from points without the State, as provided in Section 5 hereof, shall at the time said permit is issued, pay a license tax thereon at the rate of five (5c) cents per proof gallon of such distilled spirits contained in said shipment, provided, however, that with respect to such distilled spirits so shipped into the State as are used for blending, rectifying and mixing purposes, such person so using same shall not be required to pay the tax for the privilege of blending, rectifying or mixing as is provided for in Section 4 of this Act, to extend such distilled spirits so brought into the State is used for blending, rectifying and mixing purposes.

§ 7. It is hereby declared not to be the purpose of this Act to impose a duplicate or double license tax on the manufacture, sale or blending, rectifying or mixing, or transportation in or into this State of distilled spirits, as measured by the quantity of distilled spirits, manufactured, sold, blended, rectified or mixed or transported in or into this State in conformity thereto and any other license tax imposed by law heretofore passed is hereby declared to be privilege tax or permit fee.

§ 8. This Act shall be administered and enforced by the State Tax Commission through a department hereby created to be known as the Distilled Spirits Department, which said Tax Commission is hereby authorized and directed to issue

permits as provided for in this Act, for the manufacture, sale and transportation of distilled spirits and to enforce the license tax provision of same and the collection of the license taxes imposed hereby and to promulgate reasonable rules and regulations for said purposes.

§ 9. After payment of all expenses incurred by the Tax Commission, in the performance of its duties under this Act, all license taxes collected under this Act except those accruing prior to July 1, 1934, Section 3, hereof, shall be paid into the General Fund, and, one-half of same shall be used to retire outstanding state warrants, and the other one-half for general (fund) purposes.

§ 10. On the failure of any person, liable therefor, to pay the taxes imposed herein within fifteen days after the same has become due, he or they shall be deemed delinquent, and a penalty of twenty per cent on the amount of license tax due shall attach, and the Auditor shall at once cause such proceeding to be instituted for the collection of such license, with such interest and penalties as may be provided by law for the collection of other taxes.

§ 11. Any person who shall violate any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction be fined not less than Five Hundred ($500.00) Dollars nor more than One Thousand ($1,000.00) Dollars and any permit which has been issued to such person for a period of two years.

§ 12. No suit shall be maintained in any court to restrain or delay the collection or payment of the tax levied by this Act. The aggrieved taxpayer shall pay with or without protest the tax as and when required and may at any time within two years from the date of such payment sue the Commonwealth through its agent, the Auditor of Public Accounts, in an action at law in any court, state or federal, otherwise having jurisdiction of the parties and subject matter, for the recovery of the tax paid with legal interest thereon from the date of payment. If it is finally determined that said tax or

any part thereof was wrongfully collected, for any reason, it shall be the duty of the Auditor of Public Accounts to issue his warrant on the Treasurer of the Commonwealth of Kentucky for the amount of such tax so adjudged to have been wrongfully collected together with legal interest thereon. The Treasurer shall pay the same at once out of the general expenditure fund of the State in preference to other warrants or claims against the Commonwealth. A separate suit need not be filed for each individual payment made by any taxpayer, but a recovery may be had in one suit for as many payments as may have been made.

§ 13. The provisions of this Act are severable and if any of its provisions or any penalty provided by this Act shall be held unconstitutional, such provision or the particular penalty held to be invalid, may be refected without affecting the remainder of the Act or such part of the penalties as are not held to be invalid, and the decisions of the courts shall not affect or impair the remaining provisions of this Act or any of the other penalties anywhere in this Act provided. It is hereby declared as a legislative intent that this Act would have been adopted had not such unconstitutional provisions of such invalid penalties has been included therein.

§ 14. The following act or statutes are hereby repealed:

(1) Chapter 166 of the Acts of the General Assembly of 1926, as amended by Chapter 138 of the Act of the General Assembly of 1928, being Sections 3214-A-1 to 4214-A-8, inclusive, Carroll's Kentucky Statutes, 1930 Edition, imposing a license tax on proprietors of a bonded warehouse.

(2) Chapter 4 of the Act of the General Assembly 1933 Special Session, being Sections 4214-A-1 to 4214-A-8, Carroll's Kentucky Statutes, 1933 Supplement, imposing a license tax on the privilege of manufacturing distilled spirits and the withdrawal of distilled spirits theretofore distilled.

(3) The Act of the General Assembly, 1906, Special Session, being Sections 4114-A to 4114-G, Carroll's Kentucky Statutes, 1930 Edition, imposing a license tax on the business

or occupation of compounding, rectifying, adulterating or blending distilled spirits.

(4) Chapter 165 of the Acts of the General Assembly, 1926 Session, being Sections 4214-B-1 to 4214-B-10, Carroll's Kentucky Statutes, 1930 Edition, imposing a license tax of 50c per pint upon retail sales.

(5) That the subsection of subsection 2, Article XII, of Chapter 22, of the Acts of the General Assembly, 1906 Session, relating to and entitled "Wholesale Liquor Dealers," being an unnumbered subsection of 4224 Carroll's Kentucky Statutes, 1930 Edition, relating to and entitled "License tax to be paid by; liquor dealers who rectify, compound or blend; sale of wine, ale, mineral waters", be, and the same is hereby repealed in so far as it relates and imposes a license tax on the sale by wholesale of distilled spirits or compounded rectified, or blended distilled spirits.

(6) All laws in conflict herewith.

§ 15. Whereas, the present state revenue does not meet the needs for maintenance and development of the State Government, and its agencies and the State's credit is threatened with impairment, an emergency is declared to exist and this Act shall become a law and be effective on its passage and approval or non-action by the Governor, as provided by the Constitution of Kentucky.

Mr. Floyd offered the following amendment to the amendment as offered by the Committee, viz.:

Amend the amendment as offered by the Committee in Section 2 by striking the numeral "5c" and add therefor the numeral "10c".

Said amendment was disagreed to.

The yeas and nays being required thereon by Messrs. Floyd and Rankin, were as follows, viz.:

Those who voted in the affirmative were—

Carroll D. Asbury	George Dunlap	James B. Milliken
Harold L. Barnes	Garland Embry	Richard H. Nufer
B. F. Bedford	T. P. Fitzpatrick	James I. Peters
Reuben J. Boling	J. S. Hall	Pat Rankin
Corbett Brown	Frank Harris	W. P. Renfro
Frank C. Bruton	J. H. King	Avery Sartin
Sidney J. Collins	John Kirtley	Harry Sparks
D. B. Coughlin	C. C. McMasters	Lafe J. Spencer
Joel T. Crenshaw	H. H. Miller	Robert E. Webb
Harry Davis	W. H. Miller	J. B. Wicker
S. S. Dickson		

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Those who voted in the negative were—

Henry H. Allen	Judson Harmon	Tyler Munford
Levi Baker	R. M. Harrison, Jr.	Rodes K. Myers
Marshall Barnes	J. Joseph Hettinger	Robert A. Persky
Robert E. Beatty	Dr. A. L. Hill	Steve Pieratt
Wm. B. Belknap	Ira W. Hulette	Kleber F. Price
O. J. Bowen	G. C. Johnson	G. M. Pritchett
Wallace Brown	T. M. Johnson	Waylon Rayburn
G. Cunningham	Leo King	Jos. W. Schneider
W. J. Curtis	W. L. Knuckles, Jr.	Lyle C. Tackett
R. A. Demunbrun	Alden L. Love	John W. Taylor
Clarence E. Evans	M. T. McCarthy	Harry B. Thornton
Rudy Ferguson	Herschel McKinley	J. Sterling Towles
W. J. Garnett	Roy McWaters	Starling B. Tracy
Ralph Gilbert	C. C. May	Henry T. Ward
Ferd A. Gnau	J. S. Mattingly	
W. Yancey Handy	G. Samuel Milam	

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Dr. Hill moved the Previous Question.

Thereupon the Speaker announced "Shall the Main Question be now put?"

Which was decided in the affirmative.

Said amendment as offered by the Committee was then agreed to.

Ordered that said bill be engrossed and read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, and the same being engrossed, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Garland Embry	Glenn W. Lane
Carroll D. Asbury	Clarence E. Evans	Alden L. Love
Levi Baker	Rudy Ferguson	M. T. McCarthy
Harold L. Barnes	J. B. Floyd	Herschel McKinley
Marshall Barnes	L. J. Gammon	C. C. McMasters
Robert E. Beatty	W. J. Garnett	Roy McWaters
B. F. Bedford	Ralph Gilbert	C. C. May
Wm. B. Belknap	Ferd A. Gnau	J. S. Mattingly
Reuben J. Boling	J. S. Hall	G. Samuel Milam
O. J. Bowen	W. Yancey Handy	H. H. Miller
Corbett Brown	Judson Harmon	W. H. Miller
Wallace Brown	Frank Harris	James B. Milliken
Frank C. Bruton	J. Joseph Hettinger	Tyler Munford
Mrs. Cecil Cantrill	Dr. A. L. Hill	Rodes K. Myers
J. A. Coleman	John R. Hobbs	Steve Pieratt
Joel T. Crenshaw	Ira W. Hulette	Kleber F. Price
G. Cunningham	G. C. Johnson	G. M. Pritchett
W. J. Curtis	T. M. Johnson	Pat Rankin
Harry Davis	J. H. King	Waylon Rayburn
R. A. Demunbrun	Leo King	W. P. Renfro
S. S. Dickson	John Kirtley	Jos. W. Schneider
George Dunlap	W. L. Knuckles, Jr.	Mrs. M. B. Scott

Harry Sparks	John W. Taylor	Henry T. Ward
Lafe J. Spencer	Harry B. Thornton	Robert E. Webb
Lyle C. Tackett	J. Sterling Towles	J. B. Wicker

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Those who voted in the negative were—

Sidney J. Collins D. B. Coughlin —2

Mr. Myers offered the following amendment to the title of said bill, viz.:

Amend the title to H. B. 198 by striking each sentence, phrase and word of the title of the bill and placing in lieu thereof the following sentences, phrases and words:

"An Act relating to revenue and taxation, providing for an excise tax on the manufacturing business or occupation of manufacturing and/or selling and/or transporting distilled spirits; blending and/or rectifying, and/or mixing same or with other distilled spirits, for such uses and purposes as may be permitted by the laws of the State, providing for the administration of this Act by a Permit Department of the State Tax Commission of Kentucky, from which permits to engage in said business or occupation shall be obtained before engaging in same and providing funds for the expense thereof; providing for the regulation of and a license tax for transporting distilled spirits purchased without the State; providing for distribution of said license or excise taxes; providing penalties for violation of its provisions and repealing Chapter 4, Acts of the General Assembly, Special Session 1933, and enacting in lieu thereof the following Act and further repealing certain other Acts of Statutes and all laws inconsistent herewith; and declaring an emergency.

Said amendment was agreed to.

Resolved that the title thereof be as amended.

Mr. Myers moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

A message was received from the Senate announcing that they had passed a bill which originated in that body, entitled:

S. B. 235. An Act to amend Section 3235e-2 of the Kentucky Statutes, concerning Teachers' Pensions in the cities of Second class, etc.

Ordered that said bill be printed and referred to Committee on Rules.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 565. An Act to amend and re-enact Sections 6 and 13 of Chapter 160 of the Acts of the General Assembly for the year 1932, being Sections 3235g-12 and 3235g-19, Kentucky Statutes, Baldwin's Kentucky Statutes Service Supplementing Carroll's Kentucky Statutes, 1933 Edition, which act is An Act entitled "An Act enabling cities of the second class to acquire, construct, improve, operate and maintain bridges across navigable streams and to acquire and operate ferries thereover, so as to connect such cities with an adjoining state; providing for the creation of bridge commissions of such cities and prescribing their powers and duties; authorizing the issuance of revenue bonds of such cities, payable solely from bridge and ferry earnings, to pay the cost of such bridges and improvements thereof and such ferries; providing for the collection of bridge and ferry tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the bridges and ferries; setting forth the conditions upon which such bridges shall become free bridges; providing that no debt

of such cities shall be incurred in the exercise of any of the powers granted by this Act; providing for condemnation", so as to release the owner of a bridge transferred to any such city from any obligation further to maintain such bridge, and to permit any such city to convey in trust or mortgage a bridge to secure bonds issued for the purchase thereof.

Said bill is as follows, viz.:

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

That Sections six and thirteen of Chapter 160 of the Acts of the General Assembly for the year 1932, being Sections 3235g-12 and 3235g-19, Kentucky Statutes, Baldwin's Kentucky Statutes Service Supplementing Carroll's Kentucky Statutes, 1933 Edition, which Act is an Act entitled "An Act enabling cities of the second class to acquire, construct, improve, operate and maintain bridges across navigable streams, and to acquire and operate ferries thereover, so as to connect such cities with an adjoining state; providing for the creation of bridge commissions of such cities and prescribing their powers and duties; authorizing the issuance of revenue bonds of such cities, payable solely from bridge and ferry earnings, to pay the cost of such bridges and improvements thereof and such ferries; providing for the collection of bridge and ferry tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the bridges and ferries; setting forth the conditions upon which such bridges shall become free bridges; providing that no debt of such cities shall be incurred in the exercise of any of the powers granted by this Act; providing for condemnation", be amended and re-enacted so that the said sections, as amended, will read as follows:

"Section 6. Purchase of Bridges. The bridge commission of any such city is hereby authorized and empowered to acquire by purchase any toll bridge over a navigable stream

so as to connect such city with an adjoining State, or any such toll bridge wholly or partly constructed and/or any franchises, easements, permits and/or contracts for the construction of any such bridges, upon such terms and at such prices as may be considered by such bridge commission to be reasonable and can be agreed upon between it and the owner thereof, title thereto to be taken in the name of such city, subject, however, to such mortgage or other lien as may be reserved thereon by the seller of such bridge or created thereon under the provisions of section thirteen of this Act; and upon the execution of any contract for the purchase of any such existing bridge the seller thereof shall be relieved from any obligation or duty theretofore imposed upon said owner by charter, legislative enactment, or otherwise to maintain and keep open said bridge to the public."

"Section 13. Trust Indenture. In the discretion of the bridge commission each or any issue of such bonds may be secured by a trust indenture by and between the city and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or outside of the Commonwealth, or such corporate trustee and an individual or individuals as co-trustee or co-trustees, but no such trust indenture shall convey or mortgage any such bridge unless said trust indenture shall be entered into for the purpose of securing bonds issued to acquire a bridge by purchase, in which event the said trust indenture may, for the security of said bonds, create a lien by way of deed of trust or mortgage upon the said bridge, and may contain such provisions for the enforcement of said lien as may be reasonable, including, but without limiting the same by the particular statement thereof herein, provisions for the taking of possession and the sale by the Trustee of the said bridge, together with the franchises for the operation thereof, in the event of failure to pay the principal and interest of the said bonds or any part thereof at the time or times appointed for the payment of the same, or in the event of any other default under the terms of the

said indenture. Any trust indenture made hereunder may contain such further provisions for protecting and enforcing the rights and remedies of the bondholders as may not be in violation of law, including covenants setting forth the duties of the bridge commission in relation to the acquisition, construction, improvement, maintenance, operation, repair and insurance of the bridge, and the custody, safeguarding and application of all moneys. The trust indenture may also provide that the bridge shall be acquired, constructed, or partly acquired and partly constructed, and paid for under the supervision and approval of consulting engineers or other persons employed or designated by such bridge commission and satisfactory to the original purchasers of the bonds issued therefor, their successors, assigns, or nominees, who may be given the right to require that the security given by contractors and by any depository of the proceeds of the bonds or revenues of the bridge or other moneys pertaining thereto be satisfactory to such purchasers, successors, assigns or nominees. Such indenture may set forth the rights and remedies of the bondholders and trustees, restricting the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations. Except as in this Act otherwise provided, such bridge commission may provide by resolution or by such trust indenture for the payment of the proceeds of the sale of the bonds and revenues of the bridge to such officer, board or depository or depositories as it may determine for the custody thereof, and for the method of disbursement thereof, with such safe-guards and restrictions as it may determine. All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance, operation and repairs of the bridge affected by such indenture."

Mr. Schneider offered the following amendment to said bill, viz.:

Amend H. B. 565, by adding to Section 6 at the end of line 36 the following: "Said contract must be approved by a majority of the voters of such city at the next regular election held in such city. Said contract shall be published in full in the official newspaper of such city once a week for four weeks prior to the date of such election, and at the time of such election the question submitted shall be: 'Do you approve the contract between the Bridge Commissioners of (name of such city) dated..... day of .....19..... for the acquisition or purchase of (description of Bridge).' "

Said amendment was disagreed to.

Ordered that said bill be read the third time.

The Constitutional provision as to the third reading of said bill at length being dispensed with, said bill was read the third time by its title only and passed.

The yeas and nays being taken thereon in accordance with the provisions of the Constitution, were as follows, viz.:

Those who voted in the affirmative were—

Henry H. Allen	Clarence E. Evans	T. M. Johnson
Robert E. Beatty	Rudy Ferguson	F. P. Kessee
B. F. Bedford	J. B. Floyd	J. H. King
Reuben J. Boling	L. J. Gammon	Leo King
Jas. C. Bright	Ferd A. Gnau	John Kirtley
Frank C. Bruton	W. Yancey Handy	W. L. Knuckles, Jr.
Mrs. Cecil Cantrill	Judson Harmon	Alden L. Love
J. A. Coleman	Frank Harris	M. T. McCarthy
G. Cunningham	J. Joseph Hettinger	C. C. McMasters
W. J. Curtis	Dr. A. L. Hill	Roy McWaters
R. A. Demunbrun	John R. Hobbs	C. C. May
George Dunlap	Ira W. Hulette	L. B. Meadors
Garland Embry	G. C. Johnson	G. Samuel Milam

Clarence Miller	Rodes K. Myers	Lyle C. Tackett
H. H. Miller	Waylon Rayburn	John W. Taylor
W. H. Miller	L. D. Sandlin	J. Sterling Towles
James B. Milliken	Mrs. M. B. Scott	J. B. Wicker
Tyler Munford	Lafe J. Spencer	B. M. Williams

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Those who voted in the negative were—

Levi Baker	Joel T. Crenshaw	Pat Rankin
Harold L. Barnes	S. S. Dickson	W. P. Renfro
Marshall Barnes	W. J. Garnett	Jos. W. Schneider
Wm. B. Belknap	Ralph Gilbert	Harry Sparks
O. J. Bowen	Herschel McKinley	Harry B. Thornton
Corbett Brown	J. S. Mattingly	Starling B. Tracy
Wallace Brown	James I. Peters	Henry T. Ward
Sidney J. Collins	Steve Pieratt	
D. B. Coughlin	G. M. Pritchett	

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Resolved that the title thereof be as aforesaid.

Mr. Fitzpatrick moved that the vote by which said bill was passed be reconsidered and that said motion lie on the table.

Said last named motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 719. An Act to provide old age pensions for the citizens of the Commonwealth of Kentucky; that every person who gives satisfactory proof to the authority hereinafter designated that he or she (a) has reached the age of 60 years, etc.

With Committee amendments thereto.

Said bill is as follows, viz.:

H. B. No. 719. An Act to provide old age pensions for the citizens of the Commonwealth of Kentucky; that every person who gives satisfactory proof to authority hereinafter designated that he or she (a) has reached the age of 60 years; (b) has been a citizen of the United States for twenty consecutive years, and a *bona fide* citizen of the Commonwealth of Kentucky for fifteen (15) consecutive years; and (c) who is not in receipt of an income from any source of over $100.00 per year, shall be entitled to receive until death a pension from the Commonwealth of Kentucky of $8.00 per month; and providing revenue and sufficient income for the purpose of this Act; and providing for an annual license tax of $150.00 on each slot machine or similar contrivance, and $50.00 for each additional machine, and $25.00 annual license tax on each person, firm or corporation operating a punch board or similar contrivance; providing that it shall not hereafter be unlawful for any person, firm or corpration to operate slot machines or punch boards; repealing all laws or parts of laws in conflict herewith.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

§ 1. That every person who gives satisfactory proof to the authority hereinafter designated that he or she (a) has reached the age of 60 years; (b) has been a citizen of the United States for twenty (20) consecutive years, and a *bona fide* citizen of the Commonwealth of Kentucky for fifteen (15) consecutive years; (c) who is not in receipt of an income from any source of over $100.00 per year, shall be entitled to receive until death a pension from the Commonwealth of Kentucky of $8.00 per month.

§ 2. That if such a person has other income, then his pension shall be rated in proportion to such income, so his total income, including pension, shall not exceed $244.00 per

annum; provided, that any amount paid under the provisions of this Act to any pensioner shall be a lien on the estate of said pensioner, the title to which shall automatically pass to the Commonwealth of Kentucky and shall be collected by the Director of Pensions and paid into the treasury of the Commonwealth of Kentucky.

§ 3. That no person shall be paid a pension under the provision of this Act until he voluntarily withdraws from the field of competitive earnings: Provided, that the occupation of agriculture shall not be hereby deemed as a field of competitive earning when the total area of land so cultivated shall not exceed ten acres, and when no product of said ten acres are sold or bartered or offered for sale or barter.

§ 4. The provisions of this Act shall be administered by the Director of Pensions who shall be appointed by the Governor of Kentucky at a salary of $3,500.00 per annum, payable monthly, said appointment to be for a term of four years or until removed by the Governor. Said Director of Pensions shall be empowered to set up machinery and organization for carrying this Act into effect, and for maintaining its administration and for such other purposes as are necessary to carry out the provisions of this Act.

§ 5. In order to provide sufficient income for the purpose of this Act, slot machines and punch boards and other similar contrivances are hereby legalized, and hereafter it shall not be unlawful for any person, firm or corporation to engage in or operate slot machines, punch boards, or other similar contrivances in this Commonwealth.

However, each person, firm or corporation, before engaging in or operating such slot machines, punch boards or similar contrivances, shall procure a license from the county clerk of the county in which he operates said machine or punch board or other similar contrivance, and pay an annual tax thereon as follows:

On each slot machine or other similar contrivance, re-

gardless of or for what purpose it is or may be used, $150.00 on the first machine, and $50.00 for each additional machine.

Each person, firm or corporation operating or having in their possession a punch board or similar contrivance, $25.00.

Said license tax shall be collected and violators prosecuted in the same manner now provided by law for the collection and prosecution of all other license taxes and when said tax is paid into the state treasury, it shall be expended for the sole purpose of carrying out the provisions of this Act.

§ 6. Any person, firm or corporation, subject to pay a license tax under the provisions of this law and as provided herein, shall not be subject to any similar tax by any state or municipal corporation of this State.

§ 7. Any person, firm or corporation violating the provisions of this Act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than $100.00 for each offense.

§ 8. That an Advisory Board be created and appointed by the Governor. Said Advisory Board to consist of two members, one Republican and one Democrat. The salary of each member of this Board shall be $2,000.00 per year and expenses. The Director of Pensions shall act as Chairman of said Advisory Board.

§ 9. The benefits under this Act shall not be granted to any person who has, within five years prior to making application for pension, deprived himself, directly or indirectly, of any property for the purpose of qualifying for benefits hereunder.

§ 10. The benefits under this Act shall not be granted to any person while an inmate of an insane asylum, eleemosynary institution, or while under penal sentence in any jail or prison.

§ 11. All laws or parts of laws in conflict herewith are hereby repealed.

Said amendments as offered by the Committee are as follows, viz.:

1. Amend H. B. 719 by adding thereto as Section 10a the following:

Provided however, that the provisions of this Act shall not apply to any Club or association or social organization wherein such slot machines or punch boards are maintained and/or operated by the members thereof for their own amusement, and not by the public generally.

2. Amend H. B. 719 by adding on line 13, after the word "machine", "provided that nothing in this law shall be so construed as to impose a tax on coin collectors used in connection with telephones or telephone service."

Said amendments were each agreed to.

Mr. Knuckles offered the following amendment to said bill, viz.:

Amend H. B. 719 by striking out Section 5 in its entirety and inserting in lieu thereof the following:

§ 5. In order to provide sufficient income for the purpose of this Act, every Insurance Company not organized under the laws of this State, and doing business in this State, shall in the month of January of each year, file with the Commissioner of Insurance of this State, a report verified by the oath of some principal officer, or general agent, or manager of the state, showing the gross amount of premiums, received by it from policies covering risks within this State during the preceding calendar year, without deduction for commissions, return premiums, considerations paid for reinsurance, or any deduction whatever. It shall also set forth in separate items, return premiums paid for cancellations, and considerations

received from other companies for reinsurance in this state during the year. At the time of filing such report every such Insurance Company shall pay into the State Treasury the sum of Three ($3.00) Dollars on every One Hundred ($100.00) Dollars of such gross premium receipts, less the sums actually paid for return premiums and the amount received for reinsurance risks in this state as shown by such report, and such Insurance Company failing or refusing for more than Thirty (30) Days to render an accurate account of its premium receipts as above provided and pay the required tax thereon, shall forfeit One Hundred ($100.00) Dollars for each additional day such report and payment shall be delayed, and it shall be the duty of the Commissioner of Insurance to revoke all authority of any such defaulting Company to do business within this state, and the Commissioner shall have full authority, by himself or through his representatives to make examination of the books and records of such company or its agents for the purpose of veryfying the correctness of such reports.

Provided, however, that any Company subject to pay a license tax upon its gross premiums under this Act shall not be subjected to any similar tax by any City or Municipal Corporation of this state.

Said amendment was agreed to.

The yeas and nays being required thereon by Messrs. Knuckles and Meadors, were as follows, viz.:

Those who voted in the affirmative were—

Levi Baker	Corbett Brown	Garland Embry
Harold L. Barnes	Frank C. Bruton	Judson Harmon
Reuben J. Boling	J. A. Coleman	Frank Harris
O. J. Bowen	R. A. Demunbrun	Dr. A. L. Hill
Jas. C. Bright	George Dunlap	John R. Hobbs

Ira W. Hulette	L. B. Meadors	Avery Sartin
J. H. King	G. Samuel Milam	Mrs. M. B. Scott
W. L. Knuckles, Jr.	W. H. Miller	Lyle C. Tackett
Alden L. Love	Tyler Munford	John W. Taylor
M. T. McCarthy	Rodes K. Myers	J. B. Wicker
Herschel McKinley	James I. Peters	B. M. Williams
C. C. McMasters	G. M. Pritchett	
C. C. May	L. D. Sandlin	—38

Those who voted in the negative were—

Henry H. Allen	Clarence E. Evans	H. H. Miller
Carroll D. Asbury	Rudy Ferguson	Steve Pieratt
Marshall Barnes	J. B. Floyd	Pat Rankin
Robert E. Beatty	W. J. Garnett	Waylon Rayburn
B. F. Bedford	Ralph Gilbert	Jos. W. Schneider
Wm. B. Belknap	W. Yancey Handy	Harry Sparks
Wallace Brown	G. C. Johnson	Lafe J. Spencer
Hugh K. Bullitt	T. M. Johnson	J. Sterling Towles
Mrs. Cecil Cantrill	Leo King	Starling B. Tracy
Sidney J. Collins	Glenn W. Lane	Henry T. Ward
Joel T. Crenshaw	Roy McWaters	Robt. E. Webb
S. S. Dickson	J. S. Mattingly	—35

Mr. Myers moved that said bill be made a Special Order of the Day for to-morrow at ten-thirty o'clock A. M.

Said motion was agreed to.

Mr. Evans moved that the Rules be suspended and that the vote, by which a bill entitled H. B. 543, An Act to create a State Planning Board, was laid on the table, be reconsidered.

Said motion was agreed to, without objection.

Mr. Evans moved that said bill be laid on the Clerk's desk.

Said motion was agreed to.

The House took up for consideration from the Orders of the Day, a bill entitled:

H. B. 808. An Act providing compensation for the employees of the Senate and House of Representatives.

Dr. Hill moved that said bill be made a Special Order of the Day for two o'clock P. M. on to-morrow.

Said motion was agreed to.

At the instance of the Committee on Rules, the following bills were reported, viz.:

H. B. 750. An Act to require health certificate for persons contracting marriage.

H. B. 792. An Act relating to the granting of relief in certain cases during the emergency declared to exist, from inequitable foreclosure of mortgages on real estate, etc.

H. B. 789. An Act to repeal Section 2438b-1, Kentucky Statutes, 1930 Edition, and Section 124a, Civil Code of Practice, both being Chapter 1 of the Acts of 1910, relating to libel and civil proceedings.

H. B. 854. An Act to amend and re-enact Chapter 127 of the Acts of the General Assembly of the Commonwealth of Kentucky, 1922, entitled "An Act amending and re-enacting Section 584, Kentucky Statutes, relating to Deposits in banks, etc.

H. B. 774. An Act to repeal Section 97 of the Carroll's Kentucky Statutes, which is part of the Acts of the General Assembly of 1892, Chapter 100.

H. B. 834. An Act granting to cities or towns within the Commonwealth of Kentucky the right to lay and maintain pipes or conduits for the purpose of supplying water and/or gas, etc.

H. B. 875. An Act authorizing the Commissinoer of Agriculture and State Board of Agriculture to supervise and control the State Fair.

S. B. 332. An Act relating to the appointment and removal of officers; repealing, amending and re-enacting Section 3750, Carroll's Kentucky Statutes, etc.

H. B. 887. An Act appropriating money for the operation and maintenance of the various departments, boards, commissions, institutions and agencies of the State Government of the Commonwealth of Kentucky for the fiscal year ending June 30, 1935, and June 30, 1936, designating the funds and sources from which said appropriations are to be paid, etc.

S. B. 126. An Act relating to the Primary System of Roads and Highways.

S. B. 210. An Act amending Section 2402 of Carroll's Kentucky Statutes, 1922 Edition, making the fiscal year of cities of the third class begin January 1 of each year.

S. Res. 38. Resolution authorizing Albert H. Bowen and Rose Bowen to sue the Commonwealth.

S. B. 235. An Act to amend Section 3235e-2 of the Kentucky Statutes concerning Teacher's Pensions in cities of the Second Class, etc.

With the expression of opinion that said bills ought to pass.

Said bills were severally read at length the first time and ordered to be placed on the Calendar.

The House took up for consideration from the Calendar, bills of the following titles, viz.:

H. B. 727. An Act relating to the regulation of Road Houses, Eating and Drinking Stands and other places of Public Entertainment, outside the limits of incorporated towns and cities.

H. B. 794. An act to amend Section 938d of the Kentucky Statutes, Carroll's Edition, 1930, relating to county libraries.

H. B. 766. An Act relating to revenue and taxation and imposing certain license fees to engage in business in the poultry industry, etc.

H. B. 850. An Act disqualifying persons for jury service in Circuit Courts who are not residents, citizens and legal voters of the county, etc.

H. B. 686. An Act to amend an Act known as Chapter 163 of the Acts of the General Assembly of 1930, as amended by an Act known as Chapter 115 of the Acts of 1932, relating to creation of water districts in the counties of the State, etc.

H. B. 470. An Act appropriating $500.00 per year to the inter-state reference bureau of the American Legislators Association.

H. B. 469. An Act creating an inter-state legislative association committee; appropriating the sum of $500.00 to defray the expenses of said committee.

H. Res. 69. A Resolution providing for furnishing Kentucky Directories.

H. Res. 68. Resolution authorizing William Cox to sue the Commonwealth of Kentucky.

H. B. 642. An Act to repeal, amend and re-enact Section 4042a-8 of the Kentucky Statutes, relating to the compensation of tax commissioner, his deputies, etc.

H. B. 546. An Act to amend Section 33½ of Chapter 170 of the Acts of 1926 Session of the General Assembly of the Commonwealth of Kentucky, etc., relating to the State Budget Commission.

H. B. 791. An Act providing for the enforcement of the bag and size limit on game birds, game animals, etc.

H. B. 847. An Act relating to the administration of the fiscal affairs of counties, providing who shall constitute the fiscal court, etc.

H. B. 567. An Act relating to revenue and taxation.

H. B. 685. An Act to impose a tax upon the business of manufacturing, selling, or offering for sale, barter or exchange certain manufactured tobacco products, etc.

H. B. 830. An Act to prevent any motor vehicle from hauling passengers except where the owner thereof is the holder of a certificate of convenience and necessity, or a taxicab, etc.

H. B. 10. An Act authorizing county judges in counties containing cities of first class to appoint two trial commissioners.

H. B. 862. An Act relating to the Primary System of Roads and Highways.

H. B. 863. An Act relating to the Primary System of Roads and Highways.

H. B. 864. An Act relating to the Primary System of Roads and Highways.

H. B. 865. An Act relating to the Primary System of Roads and Highways.

H. B. 866. An Act relating to the Primary System of Roads and Highways.

H. B. 867. An Act relating to the Primary System of Roads and Highways.

H. B. 868. An Act relating to the Primary System of Roads and Highways.

H. B. 869. An Act relating to the Primary System of Roads and Highways.

H. B. 871. An Act relating to the Primary System of Roads and Highways.

H. B. 872. An Act relating to the Primary System of Roads and Highways.

H. B. 873. An Act relating to the Primary System of Roads and Highways.

H. B. 876. An Act relating to the Primary System of Roads and Highways.

H. B. 877. An Act relating to the Primary System of Roads and Highways.

H. B. 878. An Act relating to the Primary System of Roads and Highways.

H. B. 879. An Act relating to the Primary System of Roads and Highways.

H. B. 880. An Act relating to the Primary System of Roads and Highways.

H. B. 881. An Act relating to he Primary System of Roads and Highways.

H. B. 882. An Act relating to the Primary Sysem of Roads and Highways.

H. B. 883. An Act relating to the Primary System of Roads and Highways.

H. B. 859. An Act repealing and re-enacting Section 1992a-26, Carroll's Kentucky Statutes, Baldwin's 1930 Revision, relating to appropriations of the preceding fiscal year, etc.

H. B. 765. An Act relating to revenue and taxation and imposing a license on certain business or occupation and prescribing penalties for violations thereof.

H. B. 846. An Act entitled an Act to accept title to estate of Eleanor Holmes Lindsay, etc.

H. Res. 73. Resolution instructing the Auditor to pay the Pastors of the Frankfort Churches.

H. Res. 31. Resolution authorizing the administrator of the estate of Harry Helton to sue the Commonwealth.

H. B. 885. An Act relating to the Primary System of Roads and Highways.

H. B. 886. An Act relating to the Primary System of Roads and Highways.

H. B. 892. An Act relating to the Primary System of Roads and Highways.

Ordered that said bills be read the second time.

The Constitutional provision as to the second reading of said bills at length being dispensed with, said bills were read the second time by their titles only.

Ordered that said bills be placed in the Orders of the Day.

Mr. Love of the Committee on Enrollment reported that they had examined and found to be correctly enrolled bills which originated in the Senate, entitled:

S. B. 222. An Act relating to ditches; appointment of Drainage Commission, etc.

S. B. 228. An Act to define, license and regulate the business of making loans to the amount of $300.00.

Thereupon all other business was suspended, said bills were read at length and compared in open session and found to be correctly enrolled and thereupon the Speaker, in open session and in the presence of the House, affixed his signature thereto.

Ordered that said bills be delivered to the Enrolling Clerk of the Senate.

Dr. Hill moved that the house do now adjourn.

Said motion was agreed to.

And then the House adjourned.

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